REPORT

ON THE

ADMINISTRATION

OF

CIVIL JUSTICE

IN THE

PROVINCE OF BIHAR

DURING THE YEAR

1940.

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[*Price—Rs. 1-3-0.*]

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[Maximum Limit of pages—25.]

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1940.

During the year under report the following changes took place in the personnel of the High Court :—

(1) The Hon'ble Sir Alfred Wort was on leave from the 22nd July to the 30th September and resigned his office from the 1st October. The Hon'ble Mr. Justice H. R. Meredith, I.C.S., acted during the period of his leave, and became a permanent Judge from the 1st October.

(2) The Hon'ble Sir Fazl Ali was on leave from the 9th September to the 5th October and no substitute was appointed in his place.

(3) The Hon'ble Mr. Justice S. B. Dhavle, I.C.S., was on leave from the 15th April to the 9th May and no substitute was appointed in his place.

(4) The Hon'ble Mr. Justice F. G. Rowland, I.C.S., was on leave from the 22nd July to the 5th November and no substitute was appointed in his place.

(5) The Hon'ble Mr. Justice Manohar Lall was on leave from the 16th October to the 28th October and no substitute was appointed in his place.

The temporary post of Additional Judge which was sanctioned from the 24th July, 1939, up to the beginning of the annual vacation of 1940 and was subsequently extended up to the beginning of the annual vacation of 1941, was held by the Hon'ble Mr. Justice Meredith, I.C.S., up to the 21st July, 1940 and thereafter by the Hon'ble Mr. Justice J. G. Shearer, I.C.S.

2. The permanent civil judicial staff subordinate to the High Court consisted of 17 District Judges, including six peripatetic

Additional District Judges, 24 Subordinate Judges and 79 Munsifs. During the year under report, four Munsifs on probation were confirmed and four new probationers were appointed.

The services of the six peripatetic Additional District and Sessions Judges were utilized in the following manner :—

one was posted to Bhagalpur throughout the year ;

one was posted to Chota Nagpur from the 3rd June to the end of the year ;

one was posted to Darbhanga from the beginning of the year to the 18th March, from the 28th March to the 11th September and again from the 20th September to the end of the year ;

one was posted to Gaya from the beginning of the year to the 17th July, and again from the 25th December to the end of the year ;

one was posted to Manbhum-Singhbhum from the beginning of the year to the 4th May ;

one was posted to Muzaffarpur from the beginning of the year to the 22nd February and from the 14th March to the 8th December ;

one was posted to Patna from the 10th May to the 8th August, from the 19th August to the 5th November and from the 16th December to the end of the year. A second Additional District Judge was appointed from the 24th September to the 30th September ;

one was posted to Saran from the beginning of the year to the 23rd May and from 6th November to the 23rd December.

The following temporary appointments were also made :—

(1) An additional Subordinate Judge was employed at Arrah from the beginning of the year to the 30th September.

(2) An additional Subordinate Judge was employed at Bhagalpur from the 28th November to the end of the year.

(3) An additional Subordinate Judge was employed at Darbhanga from the beginning of the year to the 30th September.

(4) An additional Subordinate Judge was employed at Gaya from the 1st April to the 30th September and from the 6th November to the end of the year.

(5) An additional Subordinate Judge was employed at Purnea from the beginning of the year to the 1st March.

3. The number of original suits instituted in the province was 225,080, an increase of 754 on the previous year's figures.

There was an increase in litigation in seven districts and a decrease in four. The increase was most marked in Darbhanga (×3,271), Purnea (+2,446) and Patna (+1,424) and the decrease most marked in Shahabad (—5,165) and Muzaffarpur (—2,143).

Of the 225,080 suits instituted, 32,437 were for money or movable property; 177,816 were rent suits, and 14,827 were title and other miscellaneous suits. These figures show a decrease of 6·4 %, an increase of ·7 % and 12·6 %, respectively, as compared with the figures for the previous year.

The value of the suits instituted amounted to Rs. 6,31,96,416, an increase of Rs. 2,77,34,884 as compared with 1939. This increase is mainly due to the institution of suits of higher value in some of the districts and the increase in the institution of suits.

The figures for the last five years are as follows :—

—	Money suits.	Rent suits.	Title suits.	Total number.	Total value.
1	2	3	4	5	6
					Rs.
1936 ...	37,707	148,496	12,798	199,001	4,26,01,054
1937 ...	38,872	147,101	13,039	199,012	4,39,83,431
1938 ...	35,467	161,668	13,179	210,314	4,06,76,754
1939 ...	34,643	176,519	13,164	224,326	3,54,61,532
1940 ...	32,437	177,816	14,827	225,080	6,31,96,416

The downward tendency in the institution of money suits has continued during the year under report also. On the other hand, the number of rent and title suits has increased.

4. The following table shows the number of suits instituted in each judgeship :—

(1) Muzaffarpur	34,873
(2) Darbhanga	34,144
(3) Saran	31,111
(4) Bhagalpur	21,319
(5) Patna	20,746
(6) Purnea	20,214
(7) Shahabad	19,140
(8) Monghyr	18,726
(9) Gaya	15,010
(10) Manbhum-Singhbhum	6,076
(11) Chota Nagpur	3,721

Four judgeships occupy the same position in the table as in 1939. Darbhanga and Patna have risen one place each, Purnea two places and Bhagalpur three places, the judgeships which occupy correspondingly lower positions being Saran, Shahabad and Monghyr. In Chota Nagpur and in Manbhum-Singhbhum rent suits are not instituted in the civil courts, and they do not figure in the above table.

The largest numbers of rent suits (30,509), money suits (4,597) and title suits (2,355) were instituted in Darbhanga, Manbhum-Singhbhum and Muzaffarpur, respectively.

The number of money suits fell in eight districts and rose in three. The largest decrease occurred in Bhagalpur (—695), and the largest increase in Patna (+69). The increase is too small to call for any remarks.

The number of suits under the Bihar Tenancy Act rose in five districts and fell in four. The increase was most marked in Bhagalpur (+3,262) and Darbhanga (+3,234).

In Bhagalpur the increase is reported to be due to the fact that several landlords, especially the Maharajadhiraj of Darbhanga, who had refrained from filing a large number of rent suits in 1939, filed no less than 5,000 rent suits during the year under report as soon as the entire rent reduction proceedings were over. The increase in Darbhanga is attributed to the non-payment of rent by tenants in order to derive the benefit of section 15, clause (*a*) of Act IX of 1938 (Reduction of Arrears of Rent Act, 1938).

The decrease was most marked in Shahabad (—4,706). This is attributed to the effect of the new amendments to the Bihar Tenancy Act which seemed to result in the landlord

preferring to settle many of their claims with the tenants out of court. In some cases the landlords may also have awaited the results of appeals preferred by them against the orders of Rent Reduction Officers reducing rent.

The number of title suits rose in ten districts and fell in one. The largest increases were in Manbhum-Singhbum (+375) and Chota Nagpur (+317). The only decrease was in Shahabad (—36).

5. *Nature of suits instituted.*—The following table shows that, as in the previous years, the majority of rent suits were of a value not exceeding fifty rupees, while the majority of title suits and of suits for money or movable property were of a value exceeding that amount :—

—		Suits for money and movable property.	Suits under the rent law.	Title and other suits.
	Rs.			
Not exceeding	10	1,670	52,484	592
	50	8,471	84,396	2,811
	100	7,409	23,722	2,066
	500	12,351	16,132	5,416
Exceeding Rs. 500, or value not stated	...	2,536	1,082	3,942
Total	...	32,437	177,816	14,827

Title suits represented in value 73·8 per cent of the whole litigation of the province. Of the total number classed as title suits, 54·4 per cent were for immovable property ; 27·1 per cent were mortgage suits ; 2·0 per cent were for specific relief ; and the remaining 16·5 per cent for relief of other kinds.

6. *Number of suits instituted and disposed of.*—The number of suits instituted during the year (225,080), added to the number pending from the previous year (89,802) and to the number revived or otherwise received during the year (19,401) provided a total of 334,283 suits for disposal. The number of suits disposed of was 235,539. The number of suits for disposal decreased by 5,510, but the number disposed of increased by 234, as compared with the year 1939. The average disposal of suits in the courts of Subordinate Judges decreased from 189·6 in 1939 to 177·9 in 1940 and that of suits in the courts of Munsifs from 3,711·6 to 3,303·8.

The following table shows the disposal of contested and uncontested suits by Subordinate Judges and Munsifs during the years 1939 and 1940 calculated according to the method described in the report for 1930 :—

—		Contested.			Uncontested.			Total of columns 4 and 7.	Average disposal.			Percentage of contested disposal to total decided.	
		Under ordinary procedure.	Under small cause court powers.	Total.	Under ordinary procedure.	Under small cause court powers.	Total.		Contested.	Uncontested.	Total.	Under ordinary procedure.	Under small cause court powers.
1		2	3	4	5	6	7	8	9	10	11	12	13
By Subordinate Judges	1939 ...	808	473	1,281	738	1,886	2,624	3,905	62·2	127·4	189·6	52·3	20·1
	1940 ...	706	471	1,177	653	1,577	2,230	3,407	61·5	116·4	177·9	51·9	23
By Munsifs ...	1939 ...	16,063	2,097	18,160	192,566	20,631	213,197	231,357	291·3	3,420·3	3,711·6	7·7	9·2
	1940 ...	21,189	2,276	23,465	189,663	18,963	208,626	232,091	334·0	2,969·8	3,303·8	10·0	10·7

As compared with the previous year the number of suits tried increased in six judgeships and decreased in five. The largest decrease was in Muzaffarpur (—6,129). This decrease was mainly in rent suits disposed of without contest as a smaller number of such suits came up for disposal during the year.

235,539 suits were decided in all during 1940 out of which 232,091 were disposed of by Munsifs [including 21,239 by small cause court procedure], 3,407 by Subordinate Judges and 41 by District and Additional District Judges.

The number of suits disposed of under the small cause court procedure by Subordinate Judges was 311 less than in 1939, and that disposed of by Munsifs was 1,489 less.

7. *Results of suits.*—The following table shows the proportions of contested and uncontested suits to the total number of suits decided. It also shows the number of cases in which the plaintiffs were successful in whole or in part, and of cases in which the plaintiffs were unsuccessful. The variations from the figures of the previous year are small and call for no special comment:—

—	After full trial.				Uncontested.					Plaintiffs wholly or partly successful.	Plaintiffs unsuccessful.	Re-trial.		
	For plaintiff.	For defendant.	On reference to arbitration.	Total.	Ex-parte.	Compromised.	On admission of claim.	Otherwise (dismissed for default, etc., withdrawn and rejected).	Total.			Applications granted.	Applications rejected.	Percentage of successful applications.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Number of suits (1940) ...	21,253	3,181	223	24,657	165,424	11,721	3,290	30,447	210,882	189,967	33,628	898	2,777	24·4
Percentage with reference to total number of cases disposed of (235,539) in 1940.	9·0	1·4	·1	10·5	70·2	5	1·4	12·9	89·5	80·6	14·3	...	...	...
Number of suits (1939) ...	16,649	2,554	261	19,464	170,499	11,778	3,537	30,027	215,841	190,685	32,581	827	2,572	24·3
Percentage with reference to total number of cases disposed of (235,305) in 1939.	7·1	1·1	·1	8·3	72·4	5·0	1·5	12·8	91·7	81·0	13·9	...	...	...

Of the 24,657 suits decided after contest, 223 or ·9 per cent were decided on reference to arbitration. Of the remaining 99·1 per cent, 86·2 per cent or 21,253 suits ended in favour of the plaintiff and 12·9 per cent or 3,181 suits in favour of the defendant. The number of suits compromised was highest in Muzaffarpur (1,522).

8. *Applications for retrial.*—The number of applications for retrial was 3,777 or 2·1 per cent of the total number of cases dismissed for default and decided *ex parte*. Of the total number of applications disposed of (3,675), 24·4 per cent were successful as compared with 24·3 per cent in the preceding year. The percentage of applications granted was highest in Gaya (30·8) and Patna (30·3).

9. The following table gives the average duration of contested and uncontested suits disposed of by the various grades of courts :—

—		District Judges.		Subordinate Judges.		Munsifs.	
		1940.	1939.	1940.	1939.	1940.	1939.
		Days.		Days.		Days.	
1		2	3	4	5	6	7
Under ordinary procedure ...	Contested	589·5	537·3	424·3	444·1	289·4	292·9
	Uncontested	294·0	215·7	276·3	319·1	102·6	109·4
Under small cause court procedure.	Contested	...	...	166·1	143·9	143·7	144·3
	Uncontested ...	...	...	93·0	89·4	80·6	73·8

There was a rise in the average duration of suits decided on contest in the courts of the District Judges. The duration was highest in the district of Patna (1,253 days), the reason being the disposal of a hotly-contested old title suit which could not be taken up earlier for want of time. The next longest duration was in Shahabad (1,081 days) where it was due to the fact that the suits were of the year 1937 which could not be disposed of earlier owing to heavy congestion in the criminal file. The duration of contested suits under the ordinary procedure in the courts of the Subordinate Judges was above the average for the province in four judgeships, the highest figures being 583 days in Darbhanga and 505 days in Bhagalpur. The long duration in both the judgeships is attributed to the disposal of several long pending suits during the year under report.

In the Munsifs' courts the average duration of suits decided on contest under the ordinary procedure was slightly lower than in the preceding year. The duration was above the average for

the province in six judgeships, the highest figures being in the judgeships of Manbhum-Singhbhum (381 days) and Saran (331 days).

The average duration of suits has been computed in the manner adopted in the reports of the preceding seven years, and not in the manner prescribed in letter no. F. 129—29-Judl., dated the 1st August, 1930, of the Government of India and adopted in the Imperial tables appended to this report, where transfer is regarded as a method of disposal.

According to the method prescribed by the Government of India the figures for the average duration of suits under the ordinary procedure decided on contest by Subordinate Judges and Munsifs would be 335·4 and 226·6 days, respectively, as against 424·3 and 289·4.

Similarly, the disposals shown in paragraph 6 do not include disposals by transfer. To include them would mean treating many suits as disposed of which are still pending in the courts to which they have been transferred and would also result in a suit, which has been transferred to more than one court, being shown as disposed of several times over.

The Government of India have now left it to the discretion of the Provincial Government to adopt any method considered suitable for calculating the average duration of cases for the purposes of the provincial report. Steps are being taken with the approval of the Provincial Governments to make necessary changes in the statistical forms and in the Court's General Rules and Circular Orders.

Reference was made in the reports for the previous two years to the trial of special measures for the efficient and prompt disposal of *tamadi* rent suits. The final reports from District Judges in connection with the Court's General letter no. 3 of 1938 on this subject have now been received. These reports show that in the experimental year 1939 the scheme worked successfully in all judgeships except Gaya, the percentage of disposal of *tamadi* rent suits within three months of their institution going up from 34 per cent in 1938 to 60 per cent in 1939. In Gaya the scheme does not appear to have been fully tried out in 1939 and the District Judge was requested to try it out fully in 1940. His report for the year shows a percentage of 63·8 (against 32·3 in the previous year) for *tamadi* rent suits disposed of within three months of their institution. The Court

are now considering the scheme in all its aspects with particular reference to a proposal to extend the Registrar system to all judgeships and to the general question of understaffing in Munsifs' courts, particularly in outlying munsifis.

10. The number of suits pending at the close of the year fell from 89,802 to 80,672 (10·2 per cent); and the number of suits pending for over one year from the date of institution fell from 4,302 to 4,114 (4·4 per cent). This latter figure (4,114) differs from the figure of 3,602 for year old suits shown in Imperial table no. 5 because in the latter table transferred suits are shown as pending only from the date of transfer, in accordance with the instructions of the Government of India referred to above.

Of the year old suits, 3,690 were pending in the courts of Munsifs and 424 in the courts of District Judges and Subordinate Judges. The numbers were largest in the judgeships of Patna (942), Saran (749), Gaya (607), Shahabad (381) and Muzaffarpur (347). The accumulation is, as usual, chiefly in the Munsifs' courts. In the courts of the Subordinate Judges the accumulation is largest in the districts of Gaya (86), Patna (62) and Bhagalpur (44).

The following tables show separately the numbers of pending suits classified according to the years of institution in the superior courts and in the Munsifs' courts in each judgeship :—

SUPERIOR COURTS.

In the judgeship of —	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940	Over 10 years.	Total.
1	2	3	4	5	6	7	8	9	10	11	12	13
Patna	...	...	...	...	...	2	4	15	48	195	1	265
Gaya	..	...	...	...	...	2	6	16	68	351	...	443
Shababad	...	...	3	...	..	...	3	7	25	133	...	170
Saran	...	...	...	...	...	...	...	1	35	182	...	218
Muzaffarpur	...	...	...	...	2	...	1	2	27	251	...	283
Darbhanga	...	...	...	...	1	...	...	2	10	126	...	139
Bhagalpur	...	...	...	...	1	2	6	8	28	96	1	142
Monghyr	...	...	...	...	—	1	2	3	7	75	...	87
Purnea	...	...	...	...	...	...	...	4	22	82	...	108
Chota Nagpur	1	1	2	...	7	...	5	3	14	139	...	171
Manbhum-Singhbhum ...	...	...	...	...	...	1	1	2	24	197	...	225
Total ...	1	1	4	...	11	8	28	61	308	1,827	2	2,251

Munsifs' Courts.

In the judgeship of—	1931.	1933.	1933.	1934.	1935.	1936.	1937.	1938.	1939.	1940.	Over 10 years.	Total.
1	2	3	4	5	6	7	8	9	10	11	12	13
Patna	...	...	...	1	3	2	12	167	687	8,309	...	9,181
Gaya	...	...	...	...	..	...	2	18	405	6,275	...	6,790
Shahabad	1	...	...	2	1	1	3	31	304	5,989	1	6,333
Saran	...	...	...	...	...	1	4	64	644	11,080	...	11,793
Muzaffarpur	...	...	...	...	...	...	2	9	304	12,362	...	13,677
Darbhanga	...	...	...	...	1	1	...	47	283	12,047	...	12,379
Bhagalpur	...	...	...	...	...	...	1	8	59	7,953	...	8,021
Monghyr	..	...	...	1	...	...	3	23	161	4,054	...	4,242
Purnea	...	...	...	...	...	1	6	7	96	3,004	...	3,114
Chota Nagpur	...	...	...	...	...	...	8	3	40	1,511	...	1,562
Manbhum-Singhbhum ...	...	...	...	...	...	1	...	9	172	2,147	...	2,329
Total ...	1	...	...	4	5	7	41	386	3,245	74,731	1	78,421

The reasons for the delay in the disposal of long pending suits, mentioned in the reports of years prior to 1939, continued to operate in 1940, and the Court do not wish to repeat them.

11. There were 63,734 applications for the execution of decrees pending from the previous year and 131,286 application were made during the year. Full satisfaction was obtained in 82,721 and partial satisfaction in 9,109 cases : in 31,535 cases the proceedings were returned as wholly infructuous, while 71,781 remained pending at the close of the year. The total percentage of infructuous cases was 25·6 as against 25 in 1939. The proportion of infructuous proceedings was again highest in Chota Nagpur (51·3) and Manbhum-Singhbhum (38·1) against 49·8 and 36·5, respectively, in 1939. As in the previous year, the high percentage in each of the two judgeships is attributed partly to a number of applications having been made merely in

order to keep the decrees alive without any prospect of realisation of the decretal dues, partly to the omission of the decree-holders or judgment-debtors to take steps to have adjustments made out of court certified, and to the statutory prohibition on alienation of raiyati holdings. General poverty of the people, exemption of salary, wages, etc., up to Rs. 100 from attachment (under the new amendment to section 60 of the Civil Procedure Code), and the enactment of the Bihar Money-Lenders Act are also reported to have contributed to this high percentage.

The total amount realised in courts, other than small cause courts, was Rs. 1,18,11,740. The coercive measures employed were, in 23 cases, imprisonment of judgement-debtors; in 102 cases, the arrest of the judgment-debtor; in 239 and 40,709 cases, respectively, the sale of movable and immovable property; and in 34.210 cases, the attachment of property followed by its release. Possession of immovable property was given in 997 cases, of which the largest number (195) was in the judgeship of Muzaffarpur.

12. Of cases of a judicial nature other than suits and execution proceedings, 34,289 were instituted during the year, 33,371 were disposed of and 9,834 remained pending. Of the cases disposed of, 4,804 were compromised or decreed on confession, 5,614 were decided *ex-parte* and 11,527 were contested. Of the total number of applications disposed of after contest, 58·3 per cent were granted. Of the pending cases 176 were more than a year old.

In respect of miscellaneous cases of a non-judicial nature, institutions and disposals numbered 1,575 and 1,840, respectively. The number of applications for deposit of rent was highest in Gaya (80), Monghyr (54) and Purnea (47).

APPELLATE JURISDICTION.

I.—Appeals in the High Court.

13. The first of the following tables shows the number of appeals and miscellaneous cases instituted and disposed of in the High Court during the year; the second shows the comparative institution of appeals during the past five years. An increase of 139 occurred in the number of appeals and an increase of 31 in the number of miscellaneous cases pending at the close of the year. The number of appeals tried was 1,534 as against 1,766 in 1939 and 2,177 in 1938. The number of miscellaneous cases tried was 925 as compared with 815 in 1939 and 903 in

1938. The pending figures at the close of 1938 were 1,678 appeals and 221 miscellaneous cases :—

	—	Pending at the close of 1939.	Preferred.	Decided.	Pending at the end of 1940.
	1	2	3	4	5
Appeals.	**First Appeals—**				
	From decrees	466	222	193	495
	From orders	209	240	274	175
	Second Appeals—				
	From decrees	765	1,043	933	875
	From orders	53	123	113	62
	Letters Patent Appeals	16	40	18	38
	Appeals from decisions of a single Judge of the High Court in exercise of original jurisdiction.	2	5	3	4
Miscellaneous cases.	Civil review	11	35	36	10
	Civil revision	207	761	760	208
	Civil reference	1	4	1	4
	Reference under section 27 of the Workmen's Compensation Act, 1923.	1	...	1	...
	Miscellaneous judicial cases	45	116	96	65
	Applications for leave to appeal to His Majesty in Council.	30	40	30	40
	Applications for appeal to the Federal Court ...	1	...	1	...
	Total ...	1,806	2,629	2,459	1,976

High Court Appeals Instituted.

—	First appeals.		Second appeals.	
	From decrees.	From orders.	From decrees.	From orders.
1936	237	253	1,091	103
1937	199	214	952	95
1938	182	274	1,053	114
1939	188	291	977	113
1940	222	240	1,043	123

The decrease in disposal was most marked in appeals from appellate decrees (240). On the other hand, there was an

increase in Civil Revision cases (124) and First Appeals from orders (23) disposed of during the year as compared with 1939.

Fuller particulars of the Civil Revision cases disposed of in the High Court during the year are given in the table below :—

——	Summarily rejected.	Disposed of after admission.					Total of columns 2 to 7.
		Dismissed for default or otherwise not prosecuted.	Confirmed.	Modified.	Reversed.	Remanded.	
1	2	3	4	5	6	7	8
Civil revisions under the Small Cause Courts Act.	92	5	51	11	14	12	185
Other Civil revisions...	279	54	149	6	71	16	575

Of the 193 appeals from original decrees decided during the year, 54 were uncontested, 25 of them being compromised, and the remainder dismissed for default or otherwise not prosecuted. Of the 139 cases decided after contest, the decrees of the lower court were confirmed in 70 cases or 50·4 per cent, reversed in 33 cases or 23·7 per cent, and modified in 32 cases or 23·0 per cent, while 4 cases or 2·9 per cent were remanded.

Of the 933 appeals from appellate decrees of District Judges and Subordinate Judges which were decided, 266 (27·8 per cent approximately of the total number heard for admission under Order 41, Rule 11 of the Civil Procedure Code) were summarily dismissed; and 51 disposed of without contest (18 decreed and 7 dismissed on compromise, 16 withdrawn and 10 dismissed for default in prosecution). Out of the appeals actually heard the decisions in 372, or 60·4 per cent of the total number of cases, were confirmed, in 120 or 19·5 per cent they were reversed, in 51 or 8·3 per cent they were modified, while 73 appeals or 11·8 per cent were remanded.

Of the 387 appeals from orders decided, 84, which was approximately 23·1 per cent of those heard for admission, were summarily dismissed and 72 were disposed of without contest, 29 being dismissed for default, 28 withdrawn, and 13 decreed and 2 dismissed on compromise. Of the 231 appeals contested, the orders were confirmed in 116, reversed in 59, varied in 20,

while 36 appeals were remanded. Thus, of those decided after admission, 175 or 57·8 per cent were infructuous.

II.—APPELLATE COURTS SUBORDINATE TO THE HIGH COURT.

14. Appeals instituted numbered 5,246 being 1,142 more than in 1939, an increase of 27·8 per cent. The largest increases were in Gaya (+ 298) and Shahabad (+ 199). In Gaya the increase was most marked in rent appeals (+ 156) and in Shahabad in title appeals (+ 106). The only decrease was in Bhagalpur (— 18).

Appeals were preferred in 24·5 per cent of appealable cases or ·4 per cent less than last year. The highest percentages were again in Manbhum-Singbhum (46·2), Chota Nagpur (42·4) and Saran (29·3), and the lowest in Bhagalpur (11·5), Gaya (19·0) and Monghyr (21·5).

Appeals disposed of numbered 4,281, being 242 less than in 939, of which 1,651 or 38·6 per cent were decided by the District and Additional District Judges and 2,630 or 61·4 per cent by Subordinate Judges. The corresponding percentages in 1939 were 39·3 and 60·7 for District Judges (including Additional District Judges) and for Subordinate Judges, respectively. As in previous years, the proportion of civil appellate work done by the District and Additional District Judges was smaller in some judgeships than in others. In Shahabad the Subordinate Judges decided 85·9 per cent of the appeals, in Saran 74·8 per cent and in Muzaffarpur 71·8 per cent. The District Judge of Shahabad could devote only 30 days to civil work, the District Judge and the Additional District Judge of Saran 16 days, while the District Judge and the Additional District Judge of Muzaffarpur were able to devote as much as 110¼ days to it. Fluctuations in the figures showing disposal of appeals occurred chiefly in Darbhanga (—196), Saran (—140) and Shahabad (+120). The decrease in Darbhanga is reported to be due to the fact that both the courts of the District Judge and the Additional District Judge had to devote the major portion of their time to criminal work owing to the large increase in sessions cases and criminal appeals. Another reason is that during the year under report the District Judges' court had to set apart six weeks almost exclusively for disposing of about sixty Land Acquisition cases, most of which were keenly contested. The decrease in Saran is due to the fact that the District Judge and the Additional District Judge devoted only 16 days in 1940 to civil work as against 104½ days in 1939. The increase in Shahabad was in the courts of the Subordinate Judges and is

attributed to the larger number of days devoted to civil appellate file during the year under report (533 days in 1940 as against 514 days in 1939).

The proportion of appeals decided by the District and the Additional District Judges was 38·6 per cent during the year under report. This shows a slight deterioration in the position as compared with 1939 when the percentage of appeals disposed of by the District and the Additional District Judges was 39·3. As stated in previous reports, if a greater part of the civil appellate work is to be done by the District and Additional District Judges, the cadre must be further strengthened. The addition of three new posts of District and Sessions Judge has not resulted in any considerable increase in the number of civil appeals disposed of by District Judges as the number of Assistant Sessions Judges has been reduced at the same time by four.

At the close of the year 4,257 appeals remained pending, this being 1,056 more than at the end of 1939. The number of year old appeals increased from 336 to 461 or by 37·2 per cent. The largest number so pending was in Purnea (139).

15. *Results of appeals.*—In 2,158 cases or 50·4 per cent of the whole, the judgment of the lower court was affirmed ; in 740 cases or 17·3 per cent it was modified ; and in 772 or 18·0 per cent it was reversed ; 173 appeals, or 4·1 per cent were remanded, and 438 or 10·2 per cent were either dismissed for default or otherwise not prosecuted. There was thus interference in appeal in approximately two cases in five.

16. *Miscellaneous appeals.*—The number of appeals of this class instituted during the year was 2,165 ; 2,068 were disposed of and 969 remained pending at the close of the year.

17. *Courts subordinate to the High Court in the district of the Santal Parganas.*—The courts subordinate to the High Court in the district of the Santal Parganas continued to be the same as in 1939. During the year 76 suits were instituted in the district of which 35 were money suits ; 5 suits were for rent and 36 were title and other suits. Including 139 suits pending at the close of 1939 and 2 suits revived the total number of suits for disposal was 217. Of these, 24 were decided on contest and 48 without contest and 145 suits remained pending at the end of the year. The total value of the suits instituted in the district was Rs. 2,83,058.

Fifty miscellaneous judicial cases were before the courts for disposal and of these, 22 were decided on contest and 10 without contest, 18 being pending at the close of the year.

There were in all 16 appeals before the District Judge against the decisions of the Subordinate Judges in the district. Eleven were disposed of and 5 remained pending at the close of the year. The judgment of the lower court was confirmed in 5 cases and reversed in 4, while 2 cases were remanded for retrial.

MISCELLANEOUS.

18. *Stamps.*—The rules under the Court-fees Act appear to have been duly observed in all the judgeships in the year under report. On *tamadi* days, however, complaints regarding supply of stamps of lower denominations instead of those of higher value were received at Jehanabad and at Hajipur the stamp-vendors had an insufficient stock of court-fee stamps for sometime.

The amount realised as deficit court-fees on the reports of the stamp reporter in the High Court was Rs. 10,484 against Rs. 13,935 in 1939 and Rs. 19,793 in 1938. The reported deficits which were not realised, as the parties allowed their appeals to be dismissed rather than pay, amounted to Rs. 8,235 against Rs. 11,335 in 1939 and Rs. 5,850 in 1938.

A total sum of Rs. 1,365 was realized as deficit court-fees in the Circuit Court at Cuttack during the year under report.

The two temporary peripatetic stamp reporters appointed to check the realization of court-fees in the subordinate civil courts visited the judgeships of Purnea, Saran, Chota Nagpur, Darbhanga, Patna, Manbhum-Singhbhum, Monghyr, Gaya and Shahabad during the year. They reported deficiencies in the payment of court-fees to the extent of Rs. 24,799 and their reports in respect of Rs. 15,229 were accepted by the courts. The total amount realized from the parties during the year was Rs. 5,622.

No case of fraud in respect of stamps was reported to the Court from any judgeship in the year under report.

19. *Commissions and Commissioners.*—The rules regarding the issue of commissions requiring a knowledge of surveying are reported to be working satisfactorily. During the year under report 40 out of 1,207 commissions or 3·3 per cent were executed by persons who had obtained the degree of Bachelor of Civil Engineering or had passed one or other of certain prescribed examinations. 914 or 75·7 per cent were executed by pleaders holding certificates of proficiency in surveying and 253 or 21 per cent by other pleaders. The total amount of fees paid was

Rs. 37,426 of which Rs. 27,348 went to the former and Rs. 6,966 to the latter class of pleaders. The amount paid to other persons was Rs. 3,112. The number of commissions of other kinds issued was 868 and the total amount of fees paid in respect of them was Rs. 22,236.

20. *Estates under the fiduciary management of civil courts.*— The accounts of estates under the fiduciary control of the civil courts, the annual income of which exceeds Rs. 4,000, continued to be audited by the Local Audit Department.

Twenty-three audit reports were received during the year. Audit notes are now being dealt with in accordance with rules framed by the Court which require the courts concerned to pass final orders on the audit notes after the Local Audit Depratment has had an opportunity of commenting on the explanation of the Guardian, Manager or Receiver, as the case may be, on the defects to which attention has been drawn. The system continues to work satisfactorily and the regular audit of these estates has thereby gained in effectiveness and utility.

21. *Cases reported under section 58 (4) of the Bihar Tenancy Act, 1885.*— Eleven cases were reported to the Collector during the year. Five cases ended in conviction, and one in acquittal, while the proceedings in one case were dropped. In the remaining four cases the landlords were severely warned to be careful in future.

22. *Buildings.—(a) Court buildings.*— The District Judge of Gaya has again reported that the difficulty in arranging for court rooms for one of the permanent Munsifs and for an additional Munsif, whenever one is posted at Gaya, is considerable, and has suggested that two additional court rooms should be provided. Funds have not yet been allotted for the project for electric installation in the Civil Court building at Darbhanga which was administratively approved in 1938.

The Judicial Commissioner of Chota Nagpur has again remarked in his annual report that the court and office of the Judicial Commissioner are held on the first floor of an old residential building which is dark and unsuitable. The building assigned to the Subordinate Judge and Munsif of Ranchi is also small and undignified. The office rooms of the Munsif of Daltonganj and the court buildings of the Giridih Munsifi are also very small. As stated in the previous years' reports, a new court building for the Judicial Commissioner and his staff is needed.

The District Judge of Monghyr has again reported that an extension of the office room of the Munsif's court at Jamui is urgently necessary. Construction of an additional court room at Jamui is also considered by him to be very necessary. The question whether funds will be available for the construction of an additional room for keeping attached movables and livestock and effecting some other minor improvements in the Munsif's court building at Madhipura is still pending with the Provincial Government. The District Judge of Manbhum-Singhbhum has again reported that a court room and a retiring room is needed for the Sessions Judge at Dhanbad and Jamshedpur. As soon as financial conditions permit these should be provided. The District Judge of Saran remarks that the court building at Gopalganj requires improvement. An estimate for an extension of the building is being awaited from the Public Works Department. In order to give effect to the recommendations of the Santal Parganas Enquiry Committee regarding the administration of civil and criminal justice in the district of the Santal Parganas, the Provincial Government have accorded administrative approval and have also allotted some funds for the construction of a civil court building at Dumka and a Subordinate Judge's court building at Deoghar.

(b) *Residential buildings.*— There has been no revival of the question of allotment of funds for the construction of two residences for the Subordinate Judges at Chapra which was administratively approved by Government in 1930. The project for the construction of a residence for the Subordinate Judge of Darbhanga which was administratively approved in 1931 and was awaiting fresh administrative approval has been postponed in view of the present uncertain financial condition of the province. The necessity for residences for the Subordinate Judges and Munsifs of Gaya is reported to be acute, as no suitable private houses are available in Gaya. The District Judge reports that a fresh site for the residences has been selected and the matter is still pending. The Provincial Government have accorded administrative approval to the project for the construction of a residence for a Subordinate Judge at each of the stations at Dumka and Deoghar in order to give effect to the recommendations of the Santal Parganas Enquiry Committee.

23. *Libraries.*—As in previous years, the libraries of the civil courts are reported to be, on the whole, in a satisfactory condition. Additions have been made to the libraries of the subordinate courts so far as inadequate funds permitted.

24. *Effects of recent legislation—Panchayat Courts.*—In 1940 there were 128 panchayat courts operating in the province. The distribution of these courts was as follows:—

Patna—9; Gaya—3; Saran—9; Muzaffarpur—94; Darbhanga—6; Bhagalpur—5; and Purnea—2. As in previous years, the District Judge of Purnea reports that the establishment of panchayat courts has to some extent affected the institution of small cause court suits in the Munsifs' courts at Purnea and Araria. The District Judges of Gaya, Saran, Muzaffarpur, Bhagalpur and Darbhanga, however, again adhere to the opinion expressed by them in previous years that the panchayat courts have not afforded any appreciable relief to the Munsifs in whose jurisdiction they function.

Usurious Loans Act.—As in previous years, the Judicial Commissioner of Chota Nagpur and all the District Judges, except the District Judge of Darbhanga, report that the provisions of the Usurious Loans Act, 1918, are being applied by the subordinate courts in all cases where it is necessary to use them, and that rates of interest were reduced where they were found excessive. In a large proportion of cases the courts acted *suo motu*. The Judicial Commissioner of Chota Nagpur and the majority of District Judges report further that the provisions of the Money-Lenders Act were also applied in dealing with such cases. The District Judge of Darbhanga reports that the provisions of the Usurious Loans Act have been applied in a very few cases since the introduction of the Money-Lenders Act. The latter Act is enforced *suo motu* by the courts.

The District Judges of Patna, Purnea, Darbhanga and Muzaffarpur report that the effect of the recent tenancy legislation and of the Bihar Money-Lenders Act has been to increase the volume of work in their judgeships. The District Judge of Manbhum-Singhbhum reports that judgment-debtors are taking advantage of the provisions of the Bihar Money-Lenders Act with a view to defeat or delay the fruits of the decrees and that the Act has undoubtedly resulted in prolonging the duration of execution cases.

Order XVI, rule 8, *Civil Procedure Code.*—The system of permitting service of summons on witnessess by parties or their agents as provided by the addition made in 1929 to rule 8 of Order XVI of the Code of Civil Procedure still appears to be working satisfactorily. 30,544 such processes were made over to the parties during the year under report as against 32,795 in 1939. Except in the judgeship of Manbhum-Singhbhum, where

a reduction of one peon was made, the system did not make it possible to reduce the process-serving establishment during the year, the reason in most cases being that the number of peons is still less than the maximum permitted by the rules. As a result of the working of the system, there was a loss in process fees amounting to Rs. 62,418 as against a total of Rs. 13,22,126 received during the year. The loss is 4·5 per cent against 5·3 per cent in the previous year.

25. *Inspection.*—The courts of two Subordinate Judges and eighteen Munsifs were inspected by the District Judges during the year. All the Subordinate Judges except two and all the Munsifs except two inspected their offices. At Patna, Gaya and Monghyr the inspection of the offices was done by the Civil Court Registrars.

During the year, the Hon'ble Sir Saiyid Fazl Ali inspected the courts and offices at Chapra and Ranchi.

26. *Investment of Subdivisional Officers of Banka, Monghyr Sadr and Jamui with powers to try civil suits in which aboriginals are parties.*—In 1934 the Subdivisional Officers of Banka, Monghyr Sadr and Jamui were invested with powers to try civil suits in which one of the parties is a Santal or a Bhuiya. The District Judge of Monghyr reports that the experiment has worked successfully and that discontent amongst the aborigines has been largely allayed. He has recommended that the system should be continued.

In the subdivision of Banka the system has been extended to the Kols also. The District Judge of Bhagalpur reports that the system has produced satisfactory results and benefited the parties concerned. As there has been no complaint against the system from any quarter, the District Judge recommends that it should be allowed to continue.

27. *Working of the system of Registrar of civil courts at the headquarters of the District Judges.*—The Registrar system which was introduced as an experimental measure in the judgeship of Monghyr in 1939 has now been adopted by the Provincial Government as a permanent measure although for purely financial reasons it is still being shown as on a temporary basis.

The Provincial Government are also considering the question of extending the Registrar system to other judgeships as soon as funds and circumstances permit and the Court have already indicated the order of judgeships in which this proposed extension should take place.

28. *Nastaliq Urdu and Roman as optional scripts.*—As in the previous year Nastaliq Urdu continued to be an optional court script in all the civil and criminal courts in the Patna, Tirhut and Bhagalpur divisions except the district of the Santal Parganas during the year under report. The Roman script also continued to be an optional court script for courts in the Patna Division.

The High Court have since communicated to the Provincial Government their views on the question of prescribing forms for use in the subordinate courts in Urdu and have also forwarded to the Government copies of opinions of the District Judges and District Magistrates who were consulted in the matter.

29. *Prosecution of cases in which there is an order of the court to prosecute.*—In accordance with the instructions issued by the Court in 1933, the District Judges have reported the results of criminal cases instituted on the complaint of a court. During the year, 162 such cases came before the courts for trial out of which 110 cases were disposed of, 50 remained pending at the end of the year, while the proceedings in 2 cases were quashed by appellate courts. Of the cases disposed of, 55 (50 per cent) ended in conviction and 51 (46·4 per cent) in acquittal or discharge; in 4 cases (3·6 per cent) the prosecution was withdrawn, stayed or dropped. The proportion of acquittals (46·4 per cent) is higher than in 1939 (41·1 per cent), but it does not appear that this was due to inefficiency in the conduct of the prosecution.

The District Judge of Purnea again remarks that no copy of the report of the prosecuting officer was sent by the District Magistrate to the court concerned in accordance with the directions in the Court's General letter no. 1 of 1933 (Criminal). The direction in the Court's General letter no. 3 of 1940 (Criminal) to the trial courts for sending copies of their judgments through the District Judge to the outlying courts as soon as practicable was also not followed strictly. The District Judge of Muzaffarpur reports that in several cases of complaint filed in 1939 and 1940 by the Munsif of Motihari, the results have not yet been communicated. The District Judge has drawn the attention of the District Magistrate of Champaran to the matter.

30. *General.*—As in the previous year, there was an increase in the institution of rent suits in the year under report. The number of appeals instituted was 1,142 more than in 1939 and

376 more than the average for the last five years. As in previous years a very large proportion of the suits instituted were decided *ex parte*. The percentage of suits decided on contest was a little higher in 1940, being 10·5 per cent as against 8·3 per cent in 1939 and 9 per cent in 1938. The number of cases in which immovable property was sold in execution of decrees was 40,709 in 1940 as against 43,059 in 1939. The total amount realised by execution was Rs. 1,18,11,740 in 1940 as compared with Rs. 1,16,94,589 in 1939 and Rs. 1,47,11,515 in 1938.

By order of the High Court,

H. WHITTAKER,
Registrar.

IMPERIAL TABLES (CIVIL), BIHAR, 1940.

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Table No. I contains the number of Panchayat Courts; the other Tables do not include figures for such courts.

CIVIL JUSTICE.

TABLE NO. 1 (GOVERNMENT OF INDIA TABLE NO. 25).

Number of Judicial Divisions, and number of officers exercising appellate or original jurisdiction in the province of Bihar on 31st December, 1940.

Divisions.	Districts.	Judges of the Chief Court of Province (High Court Judges).	Civil.				Remarks.
			Number of districts.	District Judges.	Other Judges.*		
					Stipendiary.	Honorary.*	
1	2	3	4	5	6	7	8
Patna ...	Patna ...	10	1	2(*a*)	13(*b*)	9	(*a*) Do both civil and criminal work. (*b*) 1 does ditto ditto. Includes Munsif-Registrar.
	Gaya ...	...	1	2(*a*)	11(*b*)	3	(*a*) Do both civil and criminal work (*b*) Includes Munsif-Registrar.
	Shahabad ...	...	1	1(*a*)	10(*b*)	...	(*a*) Does both civil and criminal work. (*b*) 1 does ditto ditto.
Tirhut ...	Saran ...	...	1	2(*a*)	12	9	(*a*) Do both civil and criminal work.
	Muzaffarpur ...	...	1	1(*a*)	12(*b*)	94	(*a*) Does ditto ditto. (*b*) 1 does ditto ditto. Includes 1 executive officer.
	Darbhanga ...	...	1	2(*a*)	8	6	(*a*) Do both civil and criminal work.
Bhagalpur	Bhagalpur ...	...	1	2(*a*)	6(*b*)	5	(*a*) Do ditto ditto. (*b*) 1 does ditto ditto. Includes 1 executive officer.
	Monghyr ...	...	1	1(*a*)	12(*b*)	...	(*a*) Does both civil and criminal work. (*b*) 1 does ditto ditto. Includes 1 Munsif-Registrar and 2 executive officers.
	Purnea ...	...	1	1(*a*)	6(*b*)	2	(*a*) Does both civil and criminal work. (*b*) 1 does ditto ditto.
Chota Nagpur.	Chota Nagpur...	...	1	2(*a*)	14(*b*)	...	(*a*) Do ditto ditto. (*b*) Includes 9 executive officers, Munsifs and Subordinate Judges.
	Manbhum-Singhbhum.	...	1	1(*a*)	10(*b*)	...	(*a*) Does both civil and criminal work. (*b*) Includes 3 executive officers, Munsifs and Subordinate Judges.
	Total ...	10	11	17	114	128	
	Santal Parganas	...	1	1(*a*)	7(*b*)	...	(*a*) Does both civil and criminal work. Also District Magistrate. (*b*) Do both civil and criminal work. Six are also Subdivisional Officers.

* Do not include the members of Panchayat courts. Column 7 gives only the number of such courts.

CIVIL JUSTICE.

TABLE NO. 2 (GOVERNMENT OF INDIA TABLE NO. 26).

Number of cases decided in the Civil Courts in the province of Bihar during the year 1940.

Divisions.	Districts.	Original. Regular.	Original. Miscellaneous.	Appellate. Regular.	Appellate. Miscellaneous.
1	2	3	4	5	6
Patna ...	Patna	21,080	3,502	727	370
	Gaya	18,517	3,591	532	205
	Shahabad	21,530	3,159	709	232
Tirhut ...	Saran	35,644	2,869	452	102
	Muzaffarpur	34,833	4,381	454	270
	Darbhanga	34,455	3,812	265	171
Bhagalpur ...	Bhagalpur	20,372	3,302	157	130
	Monghyr	19,957	3,291	452	167
	Purnea	19,825	2,576	98	167
Chota Nagpur	Chota Nagpur	3,543	1,341	230	142
	Manbhum-Singhbhum	5,783	1,547	205	112
	Total ...	235,539	33,371	4,281	2,068
	Santal Parganas	72	32	11	20

CIVIL

TABLE NO. 3 (GOVERNMENT OF

Number and description of civil suits instituted in the Civil

Class of Tribunals.		Suits for money or movable property.	Suits under Rent Law.				
			Arrears of rent with or without ejectment.	Enhancement or abatement of rent.	For ejectment or recovery of possession alone.	All other suits under the Rent Law.	Total.
1		2	3	4	5	6	7
COURTS IN THE INTERIOR.							
Paid Sub-divisional Tribunals.	Under Ordinary Procedure.	9,602	177,685	...	6	55	177,746
	Under Small Cause Court powers.	20,646	...	...	...	...	...
District Courts other than Chief Courts of Districts.	Under Ordinary Procedure.	228	70	...	...	...	70
	Under Small Cause Court powers.	1,961	...	...	...	...	...
Chief Courts of Districts	...	...	...	...	...	...	...
Total	...	32,437	177,755	...	6	55	177,816
Santal Parganas	... ...	35	5	...	...	...	5

JUSTICE.

INDIA TABLE NO. 27).

Courts in the province of Bihar during the year 1940.

Title and other suits.					
Suits for immovable property.	Suits for specific relief.	Mortgage suits.	Other suits not falling under any of the preceding heads.	Total.	Grand Total.
8	9	10	11	12	13
7,469	287	3,767	2,095	13,618	200,966
...	...	...	...	...	20,646
590	12	259	311	1,172	1,470
...	...	...	...	...	1,961
...	...	...	37	37	37
8,059	299	4,026	2,443	14,827	225,080
10	3	13	10	36	76

CIVIL

TABLE NO. 4 (GOVERNMENT

Number and value of civil suits instituted in the Civil Courts

Class of Courts.		Number of		
		Value not exceeding Rs. 10.	Value Rs. 10 to Rs. 50.	Value Rs. 50 to Rs. 100.
1		2	3	4
COURTS IN THE INTERIOR.				
Paid Subdivisional Tribunals.	Under Ordinary Procedure ...	53,846	88,564	26,566
	Under Small Cause Court powers	897	7,101	6,622
District Courts other than Chief Courts of Districts.	Under Ordinary Procedure ...	...	2	...
	Under Small Cause Court powers.	3	11	8
Chief Courts of Districts ...	... ...	...	...	1
	Total ...	54,746	95,678	33,197
Santal Parganas ...	... ...	...	...	...

JUSTICE.

OF INDIA TABLE NO. 28).

in the province of Bihar during the year 1940.

suits instituted.						
Value Rs. 100 to Rs. 500.	Value Rs. 500 to Rs. 1,000.	Value Rs. 1,000 to Rs. 5,000.	Value above Rs. 5,000.	Number of suits the value of which cannot be estimated in money.	Total number of suits instituted.	Total value of suits.
5	6	7	8	9	10	11
						Rs.
25,919	3,898	2,141	...	21	200,958	1,66,50,758
6,034	...	...	...	...	20,654	17,16,265
4	2	731	730	1	1,470	4,38,34,285
1,937	2	...	...	...	1,961	6,37,722
5	10	11	7	3	37	3,57,386
33,899	3,912	2,886	737	25	225,080	6,31,96,416
...	...	63	12	1	76	2,83,058

CIVIL

TABLE NO. 5 (GOVERNMENT

General results of trial of civil cases in courts of original juris-
Civil

Class of Courts.		Number of suits before the Courts.					Number of suits				
							Without trial.			Ex-parte.	
		Pending at the beginning of the year.	Instituted during the year.	Revived during the year.	Otherwise received.	Total.	Under O. IX, R. 3 and O. IX, R. 8 of C. P. C. where the defendant does not admit the claim.	Otherwise.	Average duration.	Number.	Average duration.
1		2	3	4	5	6	7	8	9	10	11
COURTS IN THE INTERIOR.											
Paid Sub-divisional Tribunals.	Under Ordinary Procedure.	82,270	200,966	982	17,893	203,111	10,427	15,263	97·0	154,063	86·6
	Under Small Cause Court powers.	5,426	20,646	67	76	26,215	1,533	2,693	71·2	10,478	77·5
District Courts other than Chief Courts of Districts.	Under Ordinary Procedure.	1,379	1,470	15	310	3,174	53	101	203·4	151	263·9
	Under Small Cause Court powers.	650	1,961	12	27	2,650	88	282	66·9	718	90·0
Chief Courts of Districts ...		77	37	...	19	133	...	7	190·1	14	272·7
Total of each class for Civil Courts.	Suits for money or movables.	12,189	32,437	187	880	45,693	2,143	4,481	89·1	14,654	97·8
	Ditto under the Rent Law.	64,958	177,816	722	15,105	258,601	9,129	12,440	84·5	148,248	83·7
	Title and other suits.	12,655	14,827	167	2,340	29,989	830	1,416	193·9	2,522	104·7
Total ...		89,802	225,080	1,076	18,325	334,283	12,101	18,346	93·6	165,424	86·2
Santal Parganas ...		139	76	2	...	217	...	9	435·8	12	355·8

* Difference of 7 suits (334,283 – 253,618 = 80,665 ; 80,672—80,665 = 7) is due to the fact th

JUSTICE.

OF INDIA TABLE NO. 29).

diction in the province of Bihar during the year 1940.
Suits.

disposed of—

On admission of claim.		Compromised.		After full trial.			On reference to arbitration.		By transfer.		Pending at the close of the year.	Pending for more than a year.	Remarks.
Number.	Average duration.	Number.	Average duration.	Judgment for Plaintiff.	Judgment for Defendant.	Average duration.	Number.	Average duration.	Number.	Average duration.			
12	13	14	15	16	17	18	19	20	21	22	23	24	25
1,902	155·0	8,008	198·7	18,390	2,636	225·4	163	380·9	17,739	147·0	73,537	3,230	
1,259	84·1	3,000	90·0	1,914	330	139·5	32	169·6	75	81·7	4,884	6	
36	265·7	312	278·5	534	148	333·1	24	403·0	229	§ 545·1	1,586	326	
93	112·0	396	109·6	403	64	160·6	4	163·0	4	144·5	598	2	
...	...	5	329·2	12	3	504·1	...	...	32	258·3	67	38	
1,822	107·3	5,358	135·5	4,079	739	197·1	91	271·0	837	413·2	11,599	669	
1,236	140·8	2,949	136·7	13,740	912	190·5	19	546·1	14,983	99·0	54,762	338	
232	221·0	3,414	253·0	3,434	1,530	326·3	113	378·7	2,259	406·8	14,311	2,595	
3,290	127·9	11,721	170·0	21,253	3,181	219·4	223	349·0	18,079	152·0	80,672*	3,602	
6	201·7	21	400·6	18	6	657·3	...	...	...	...	145	64	

cases were received on transfer from the file of miscellaneous Judicial cases.

TABLE NO. 6 (GOVERNMENT

General results of trial of civil cases in courts of original
Miscella.

Class of Courts.	Number of suits before the courts.					Number of				
						Without trial.			Ex-parte	
	Pending at the beginning of the year.	Instituted during the year.	Revived during the year.	Otherwise received.	Total.	Under O. IX, R. 3 and O. IX, R. 8 of C.P.C. where the defendant does not admit the claim.	Otherwise.	Average duration.	Number.	Average duration.
1	2	3	4	5	6	7	8	9	10	11
COURTS IN THE INTERIOR.										
Paid Subdivisional Tribunals.	7,298	30.046	146	218	37,708	4,747	5,491	67·5	4,614	67·7
District Courts other than Chief Courts of Districts.	723	2,739	21	65	3,548	238	555	89·5	218	96·3
Chief Courts of Districts.	724	1,504	3	111	2,342	116	279	154·0	782	103·4
Total ...	8,745	34,289	170	394	43,598	5,101	6,325	72·0	5,614	73·6
Santal Parganas	26	24	...	...	50	...	3	136·0	1	150·0

*Difference of 30 cases (43,598—33,371—363=9,864; 9,864—9,834=30) is due to the fact

JUSTICE.

OF INDIA TABLE NO. 30).

jurisdiction in the province of Bihar in the year **1940.**
neous cases.

suits disposed of.

On admission of claim.		Compromised.		After full trial.			On reference to arbitration.		By transfer.		Pending at the close of the year.	Pending for more than a year.	Remarks.
Number.	Average duration.	Number.	Average duration.	Judgment for Plaintiff.	Judgment for Defendant.	Average duration.	Number.	Average duration.	Number.	Average duration.			
12	13	14	15	16	17	18	19	20	21	22	23	24	25
994	67·1	3,562	117·3	5,802	4,022	90·3	5	357·0	200	149·9	8,270	51	
55	68·9	146	107·0	734	626	113·8	1	1,027	49	172·4	926	21	
11	115·9	36	247·8	183	154	251·6	...	...	114	236·9	638	104	
1,060	67·7	3,744	118·2	6,719	4,802	97·8	6	468·7	363	180·3	* 9,834	176	
...	...	6	192·9	11	11	238·7	...	...	...	...	18	8	

that 37 cases were transferred to suits file and 7 cases received on transfer from rent appeal file.

TABLE NO. 7 (GOVERNMENT of

Civil Appellate Courts—Appeals from

Class of Courts.	Number of appeals before the Courts. Pending at the beginning of the year.	Instituted and re-instituted during the year.	Otherwise received.	Total.	Number of appeals Dismissed or not prosecuted. Number.	Average duration.
1	2	3	4	5	6	7
COURTS IN THE INTERIOR.						
APPEALS FROM ORIGINAL DECREES.						
Chief Appellate Courts other than Chief Courts of Districts.	294	288	2,783	3,365	102	528
Chief Appellate Courts of Districts ...	2,907	4,984	601	8,492	336	139·2
Total of each class for Civil Courts. — Appeals from decisions in suits for money or movables.	353	533	400	1,286	34	144·9
Total of each class for Civil Courts. — In suits under the Rent Law.	1,210	2,463	1,276	4,949	185	100·2
Total of each class for Civil Courts. — In title and other suits	1,638	2,276	1,708	5,622	219	129·4
Total ...	3,201	5,272	3,384	11,857	438	119·3
Santal Parganas	9	7	...	16	...	...
COURTS AT THE SEAT OF GOVERNMENT.						
APPEALS FROM ORIGINAL DECREES.						
Chief Court of province. — From decisions by Courts in the interior.	466	220	2	688	54	469·6
Chief Court of province. — From decisions on the original side.	2	...	...	2	1	229·0
Total ...	468	220	2	690	55	463·2
APPEALS FROM APPELLATE DECREES						
Chief Court of province. — From decisions by Appellate Courts in the interior.	765	1,043	...	1,808	51	349·6
Chief Court of province. — From decisions of a single Judge or Bench in appeal in the Chief Court.	16	40	...	56	3	187·3
Total ...	781	1,083	...	1,864	54	340·6

*Difference of 7(i.e., 11,857—4,281—3,312—4,264 ; 4,264—4,257 7) is

JUSTICE.

INDIA TABLE NO. 31).

decrees, *Bihar*, 1940.

disposed of—									
					By transfer.				
Confirmed.	Modified.	Reversed.	Remanded for re-trial.	Average duration of appeals in columns 8, 9, 10 and 11.	Number.	Average duration.	Pending at the close of the year.	Pending for more than a year.	Remarks.
8	9	10	11	12	13	14	15	16	17
1,433	481	489	125	68·4	204	124·5	531	36	
725	259	283	48	195·9	3,108	224·5	3,726	319	
245	79	72	21	112·0	394	219·7	443	45	
877	472	375	87	102·2	1 262	193·2	1,683	75	
1,036	189	325	65	122·9	1,656	237·2	2,131	235	
2,158	740	772	173	112·0	3,312	218·4	4,257*	355	
5	...	4	2	203·5	...	...	5	1	
70	32	33	4	1005·6	...	...	495	273	
...	...	...	...	...	...	...	1	1	
70	32	33	4	1005·6	...	...	496	274	
638	51	120	73	310·0	...	...	875	114	
12	...	3	...	308·2	...	...	38	...	
650	51	123	73	311·5	...	...	913	114	

ue to the fact that 7 rent appeals were transferred to miscellaneous case file.

CIVIL

TABLE NO. 8 (GOVERNMENT

Civil Appellate Courts—Miscellaneous

Class of Courts.	Number of appeals before the Courts.				Number of	
					Dismissed or not prosecuted.	
	Pending at the beginning of the year.	Instituted and re-instituted during the year.	Otherwise received.	Total.	Number.	Average duration.
1	2	3	4	5	6	7
COURTS IN THE INTERIOR.						
FIRST APPEALS.						
Chief Appellate Court other than Chief Courts of Districts.	54	70	532	656	40	54·9
Chief Appellate Courts of Districts	802	2,096	168	3,066	368	88·1
Total ...	856	2,166	700	3,722	408	84·8
Santal Parganas	4	24	...	28	...	...
COURTS AT THE SEAT OF GOVERNMENT.						
FIRST APPEALS.						
Chief Court of province. — From decisions by Courts in the interior.	206	239	...	445	71	241·0
Chief Court of province. — From decisions on the original side.	...	5	...	5	...	...
Chief Court of province. — From decisions of Commissioners under section 30 of Workmen's Compensation Act, 1923.	3	1	...	4	...	...
Total ...	209	245	...	454	71	241·0
SECOND APPEALS.						
Chief Court of province. — From decisions by Appellate Courts in the interior.	52	123	...	175	2	107
Chief Court of province. — From decisions of a single Judge or Bench in appeal in the Chief Court.	...	...	...	...	...	...
Total ...	52	123	...	175	2	107

JUSTICE.

OF INDIA TABLE NO. 32).

Appeals, *Bihar*, 1940.

appeals disposed of—					By transfer.		Pending at the close of the year.	Pending for more than a year.	Remarks.
Confirmed.	Modified.	Reversed.	Remanded for re-trial.	Average duration of appeals in columns 8, 9, 10 and 11.	Number.	Average duration.			
8	9	10	11	12	13	14	15	16	17
318	34	115	43	37·4	36	149·7	70	...	
792	34	217	107	13[illegible]·3	649	149·2	899	16	
1,110	68	332	150	105·2	685	149·2	969	16	
15	...	3	2	65·9	...	...	8	...	
124	17	38	22	262	...	...	173	18	
1	...	1	...	57	...	...	3	...	
2	...	...	...	329	...	...	2	1	
127	17	39	22	260·6	...	...	178	19	
77	3	23	8	131·8	...	...	62	2	
...	...	...	...	...	...	...	...	...	
77	3	23	8	131·8	...	...	62	2	

PROVINCIAL TABLES (CIVIL), BIHAR, 1940.

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TABLE

Statement classifying according to value the number of

Divisions.	Districts.	Number of			
		Value not exceeding Rs. 10.	Value exceeding Rs. 10 but not exceeding Rs. 50.	Value exceeding Rs. 50 but not exceeding Rs. 100.	Value exceeding Rs. 100 but not exceeding Rs. 500.
1	2	3	4	5	6
Patna ...	Patna	4,185	8,791	3,292	3,669
	Gaya	1,944	5,492	2,889	3,760
	Shahabad... ..	3,289	8,289	3,331	3,474
Tirhut ...	Saran	9,146	14,341	3,669	3,184
	Muzafferpur ...	11,209	15,082	3,899	3,676
	Darbhanga ...	10,522	15,667	4,064	3,257
Bhagalpur ...	Bhagalpur... ...	5,898	8,742	3,239	2,978
	Monghyr	3,927	8,272	2,947	2,977
	Purnea	4,220	8,343	3,785	3,409
Chota Nagpur	Chota Nagpur ...	161	930	769	1,272
	Manbhum-Singhbhum	245	1,729	1,313	2,243
	Total ...	54.746	95,678	33,197	33,899
	Total for 1909 ...	47,602	97,103	35,226	33,849

A.

suits instituted in each district during the year 1940.

suits instituted.						
Value exceeding Rs 500, but not exceeding Rs. 1,000.	Value exceeding Rs. 1,000 but not exceeding Rs. 5,000.	Value exceeding Rs. 5,000.	Number of suits the value of which cannot be estimated in money.	Total number of suits instituted.	Total value of suits.	Remarks.
7	8	9	10	11	12	13
					Rs	
414	315	80	...	20,743	48,65,920	
446	395	84	...	15,010	37,29,682	
375	306	75	1	19,140	29,32,367	
430	252	70	18	31,111	50,75,033	
527	381	99	...	34,873	47,41,235	
33	232	72	...	34,144	43,83,406	
274	152	36	...	21,319	27,77,756	
320	230	51	2	19,726	29,69,461	
288	149	25	...	20,214	20,78,631	
229	253	107	...	8,721	2,74,78,358	
284	220	38	4	6,076	21,61,716	
3,912	2,886	737	25	225,080	6,31,96,416	
4,071	2,731	705	39	221,326	3,54,61,532	

TABLE

Result of Proceedings in Execu-

Divisions.	Districts.	Number of applications filed.	Number of applications: Decrees wholly satisfied.	Decrees partly satisfied.
1	2	3	4	5
Patna ...	Patna	9,555	7,231	543
	Gaya	8,381	6,602	821
	Shahabad	13,065	8,903	571
Tirhut ...	Saran	15,139	9,112	612
	Muzaffarpur	19,562	12,510	618
	Darbhanga	18,065	13,587	499
Bhagalpur...	Bhagalpur	13,594	9,252	392
	Monghyr	11,543	6,101	435
	Purnea	12,451	7,714	921
Chota Nagpur	Chota Nagpur	3,236	727	888
	Manbhum-Singhbhum ...	6,695	982	2,809
	Total ...	131,286	82,721	9,109
	Total for 1939 ...	122,110	79,597	9,425

B.

tion of Decrees in 1940.

d'sposed of.		Number of applications pending.	Pending over one year.	Amount realized.	Proportion of infructuous proceedings.
Wholly infructuous.	Total.				
6	7	8	9	10	11
				Rs. a. p.	
2,344	10,118	5,358	535	13,94,220 0 0	23·2
1,959	9,382	5,416	381	20,04,188 0 0	20·9
2,822	12,296	7,019	194	10,70,844 0 0	23·0
3,164	12,888	7,191	151	7,85,100 0 0	24·5
4,586	17,714	10,008	156	12,77,403 0 0	25·9
2,953	17,039	10,579	702	13,40,892 0 0	17·3
3,202	12,846	7,044	133	12,66,788 0 0	25·0
3,086	9,622	7,437	594	7,35,723 0 0	32·1
3,378	12,013	6,310	260	10,94,416 0 0	28·1
1,704	3,319	1,486	105	3,31,521 0 0	51·3
2,337	6,128	3,933	481	5,10,645 0 0	38·1
31,535	123,365	71,781	3,692	1,18,11,740 0 0	25·6
29,598	118,620	63,734	2,976	1,16,94,589 0 0	25·0

TABLE

Statement showing the work done by

Judgeships.	Original suits decided.	Applications for execution of decrees decided.	Miscellaneous Judicial cases disposed of.	APPEALS.				
				REGULAR APPEALS.				
				FOR DISPOSAL.				
				Pending from previous year.	Preferred during the year.	Re-admitted.	Received by transfer.	Total for disposal.
1	2	3	4	5	6	7	8	9
Patna—								
District Judge	3	5	255	520	822	3	38	1,383
Additional District Judge ...	...	...	3	...	...	...	68	68
Total	3	5	258	520	822	3	106	1,451
Gaya—								
District Judge	2	...	97	231	757	...	12	1,000
Additional District Judge ...	...	...	12	1	...	...	50	51
Total	2	...	109	232	757	...	62	1,051
Shahabad—								
District Judge...	4	5	163	570	807	3	63	1,443
Saran—								
District Judge...	...	3	93	308	618	10	31	967
Additional District Judge ...	3	...	39	12	...	2	48	62
Total	3	3	132	320	618	12	79	1,029
Muzaffarpur—								
District Judge	6	3	182	281	389	2	6	678
Additional District Judge ...	3	...	3	1	...	1	54	56
Total	9	3	185	282	380	3	60	734
Darbhanga—								
District Judge	1	3	143	172	272	1	...	445
Additional District Judge ...	...	4	81	15	...	1	39	55
Total ...	1	7	174	187	273	2	39	500

C (New).

District Judges during the year **1940.**

APPEALS.														
Regular Appeals.							Miscellaneous Appeals.							
	Disposed of.				Pending.									
			Total.											
Transferred to other courts.	On contest.	Without contest.	From the decisions of Subordinate Judges.	From the decisions of Munsifs.	Total.	Over one year.	Preferred.	Disposed of.	Pending.	Sessions cases.	Criminal appeals.	Applications for revision (criminal).	Number of days devoted to civil work.	Number of days devoted to criminal work.
10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
423	230	89	4	315	641	45	349	341	191	39	440	266	48	199
56	12	...	2	10	...	...	...	14	...				5	114
479	242	89	6	325	641	45	349	355	191	39	440	266	53	313
327	167	51	35	183	455	15	229	99	92	55	210	99	76½	175½
13	36	2	6	32	...	...	...	4	...				37	117
340	203	53	41	215	455	15	229	103	92	55	210	99	113½	292½
627	42	58	11	89	516	15	282	99	117	25	258	145	30	216
383	58	39	1	96	487	15	148	37	79	68	245	183	8½	221½
34	15	2	5	12	11	11	...	5	10				7½	129½
417	73	41	6	108	498	26	148	42	89	68	245	183	16	351
219	34	44	11	67	374	43	198	186	79	57	609	149	72½	172½
6	49	1	3	47	...	...	...	15	...				37½	174¼
225	83	45	14	114	374	43	198	201	79	57	609	149	110½	346¾
107	87	25	4	108	226	6	174	169	38	70	408	114	67	161
...	46	7	2	51	2	1	...	2	...				45	193
107	133	32	6	159	228	7	174	171	38	70	408	114	112	354

TABLE

Statement showing the work done by

Judgeships.	Original suits decided.	Applications for execution of decrees decided.	Miscellaneous Judicial cases disposed of.	APPEALS. Regular Appeals. For disposal. Pending from previous year.	Preferred during the year.	Re-admitted.	Received by transfer.	Total for disposal.
1	2	3	4	5	6	7	8	9
Bhagalpur—								
District Judge	3	5	63	85	155	1	1	242
Additional District Judge ...	...	...	14	4	...	1	60	65
Total ...	3	5	77	89	155	2	61	307
Monghyr—								
District Judge	4	...	126	95	442	2	14	553
Purnea—								
District Judge	...	...	95	219	235	2	6	463
Chota Nagpur—								
Judicial Commissioner	1	...	52	145	213	2	2	362
	rent	...	...	71	70	1	2	144
Additional Judicial Commissioner ..	...	...	...	...	...	...	20	20
	rent	...	...	...	...	...	34	34
Total ...	1	...	53	216	283	3	58	560
Manbhum-Singhbhum—								
District Judge	11	2	184	165	201	2	18	386
Additional District Judge ...	...	...	6	12	...	...	4	16
Total ...	11	2	190	177	201	2	22	402
GRAND TOTAL ...	41	30	1,561	2,907	4,981	34	570	8,492
GRAND TOTAL for 1939 ...	43	29	1,447	3,082	3,945	62	722	7,811

*Average duration of suits from the date of institution

*Average duration of appeals from the date of institution

*The methods of calculation being different these figures do not agree with the figures of year old

C (New)—*concld.*

District Judges during the year 1940—concld.

APPEALS.														
REGULAR APPEALS.							MISCELLANEOUS APPEALS.							
	DISPOSED OF.		TOTAL.		PENDING.									
Transferred to other courts.	On contest.	Without contest.	From the decisions of Subordinate Judges.	From the decisions of Munsifs.	Total.	Over one year.	Preferred.	Disposed of.	Pending.	Sessions cases.	Criminal appeals.	Applications for revision (criminal).	Number of days devoted to civil work.	Number of days devoted to criminal work.
10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
96	51	8	2	57	87	3	145	92	64	74	210	97	39	133
...	64	1	4	61	...	...	...	27	...				41	161
96	115	9	6	118	87	3	145	119	64	74	210	97	80	294
278	106	79	30	155	90	...	180	79	39	19	340	123	35	208
46	51	30	4	77	335	111	189	153	105	30	184	183	55	187
167	10	22	7	25	163	19	129	113	26	56	344	54	50	195
34	16	9	...	25	85	15	...	...	...				...	...
...	7	...	3	4	13	12	...	3	4				17	115
...	24	...	...	24	10	10	...	...	...				...	...
201	57	81	10	78	271	56	129	116	30	56	344	54	67	310
83	55	17	5	67	231	39	72	62	55	38	384	107	60	188
9	7	...	3	4	...	...	...	18	...				16	77
92	62	17	8	71	231	39	72	80	55	38	384	107	76	265
3,108	1,167	484	142	1,509	3,726	360*	2,095	1,518	899	531	3,632	1,520	748	3,137
3,125	1,295	484	124	1,655	2,907	273	2,043	1,446	802	454	3,051	1,140	904½	3,046½

Average number of days.

under the ordinary procedure { contested ... 569·5; uncontested ... 294·0

— { contested ... 242·7; uncontested ... 122·5

appeals and of average duration given in the Imperial Tables nos. 29 and 31.

TABLE

Statement showing the work done by

Judgeships.	Courts.	Powers.	Original Suits. For disposal. Pending from previous year.	Instituted.	Re-admitted and received by transfer.	Total.	Disposed of. Without trial.	*Ex-parte.*	On contest.	Total.	Pending. Total.	Over one year.
1	2	3	4	5	6	7	8	9	10	11	12	13
Patna.	Subordinate Judge, 1st Court.	O.	72	54	3	129	27	9	24	60	60	25
		S.C.C.	...	...	...	...	...	...	...	...	...	...
	Subordinate Judge, 2nd Court.	O.	46	50	10	106	14	4	28	46	59	17
		S.C.C.	66	204	3	273	61	76	69	206	66	...
	Subordinate Judge, 3rd Court.	O.	72	59	10	141	31	4	39	74	66	20
		S.C.C.	...	...	...	...	...	...	...	...	...	...
	Total ...	...	256	367	26	649	133	93	160	386	251	62
Gaya.	Subordinate Judge, 1st Court.	O.	125	100	5	230	38	23	42	103	109	25
		S.C.C.	117	256	5	378	125	117	55	297	81	1
	Subordinate Judge, 2nd Court.	O.	100	98	3	201	29	4	38	71	114	35
		S.C.C.	38	93	...	131	34	31	34	99	32	...
	Subordinate Judge, 3rd Court.	O.	71	76	3	150	21	10	36	67	69	9
		S.C.C.	11	50	...	61	23	16	11	50	11	...
	Subordinate Judge, Additional Court.	O	...	...	47	47	1	2	25	28	16	16
	Total ...	...	462	673	63	1,198	271	203	241	715	432	86
Shahabad.	Subordinate Judge, 1st Court.	O.	49	66	...	115	17	3	33	53	58	5
		S.C.C.	38	164	1	203	70	62	36	168	35	...
	Subordinate Judge, 2nd Court.	O.	47	45	2	94	7	1	12	20	67	25
		S.C.C.	2	...	1	3	1	...	2	3	...	...
	Subordinate Judge, Additional Court.	O.	4	...	12	16	4	...	10	14	...	...
	Total ...	...	140	275	16	431	99	66	93	258	160	30

D (New).

Subordinate Judges during the year 1940.

Miscellaneous cases disposed of. — Execution cases.	Miscellaneous cases disposed of. — Miscellaneous Judicial cases.	Miscellaneous cases disposed of. — Non-Judicial cases.	Regular appeals. — Number of appeals before the Court.	Regular appeals. — Disposed of. — On contest.	Regular appeals. — Disposed of. — Without contest.	Regular appeals. — Disposed of. — Total.	Regular appeals. — Pending. — Total.	Regular appeals. — Pending. — Over one year.	Miscellaneous appeals. — Preferred.	Miscellaneous appeals. — Disposed of.	Miscellaneous appeals. — Pending.	Sessions cases.	Number of days devoted to civil work.	Number of days devoted to criminal work.
14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
70	76	2	153	116	15	131	6	...	...	3	...	15	125½	116½
8	...	...	...	...	...	...	...	...	...	...	...	...	...	...
77	108	4	107	85	6	91	13	1	...	6	...	...	243	...
89	34	...	...	...	...	...	...	...	...	...	...	...	...	...
81	78	2	186	157	17	174	9	1	...	6	...	...	244	...
29	2	...	...	...	...	...	...	...	...	...	...	...	...	...
354	298	8	446	358	38	396	28	2	...	15	...	15	612½	116½
193	155	...	66	56	5	61	5	1	...	18	...	...	219	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
79	83	...	53	32	4	36	17	...	...	5	7	...	215	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
80	85	...	75	68	6	74	1	...	...	28	...	...	247	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
2	...	...	131	104	1	105	24	3	...	51	3	...	145	...
354	322	...	325	260	16	276	47	4	...	102	10	...	826	...
168	140	...	303	167	4	171	119	17	...	43	20	...	240	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
76	76	...	263	168	9	177	79	9	...	43	19		136	109
...	...	...	...	...	...	...	...	...	...	...	...	36	...	...
14	13	...	309	234	27	261	...	...	...	47	...		157	44
258	229	...	875	569	40	609	198	26	...	133	39	36	533	153

TABLE

Statement showing the work done by

Judgeships.	Courts.	Powers.	Original Suits. For disposal. Pending from previous year.	For disposal. Instituted.	For disposal. Re-admitted and received by transfer.	For disposal. Total.	Disposed of. Without trial.	Disposed of. *Ex parte.*	Disposed of. On contest.	Disposed of. Total.	Pending. Total.	Pending. Over one year.
1	2	3	4	5	6	7	8	9	10	11	12	13
Saran.	Subordinate Judge, 1st Court.	O.	57	52	2	111	16	4	17	37	69	23
		S.C.C.	12	73	...	85	29	16	10	55	30	...
	Subordinate Judge, 2nd Court.	O.	29	58	7	94	20	2	21	43	51	6
		S.C.C.	75	172	16	263	86	73	47	206	57	...
	Total ...	...	173	355	25	553	151	95	95	341	207	29
Muzaffarpur.	Subordinate Judge, 1st Court, Muzaffarpur.	O.	40	50	21	111	19	9	29	57	54	11
		S.C.C.	34	107	1	142	40	45	28	113	29	...
	Subordinate Judge, 2nd Court, Muzaffarpur.	O.	40	45	1	86	13	3	17	33	46	7
		S.C.C.	18	50	...	68	23	15	10	47	21	...
	Subordinate Judge Additional Court.	O.	3	...	...	3	...	...	1	1	2	2
	Subordinate Judge, Motihari.	O.	64	110	2	176	40	1	42	83	93	6
		S.C.C.	21	111	3	135	46	38	20	104	31	...
	Total ...	...	220	473	28	721	180	111	147	438	276	26
Darbhanga.	Subordinate Judge, Darbhanga.	O.	73	99	8	180	31	11	28	70	93	11
		S.C.C.	40	108	3	151	30	48	26	104	45	1
	Additional Subordinate Judge.	O.	12	...	18	30	5	1	17	23	...	...
		S.C.C.	...	...	2	2	1	...	1	2	...	...
	Total ...	...	125	207	31	363	67	60	72	199	138	12

D (New)—*contd.*

Subordinate Judges during the year 1940—contd.

Miscellaneous cases disposed of.			Regular appeals.						Miscellaneous appeals.					
				Disposed of.			Pending.							
Execution cases.	Miscellaneous Judicial cases.	Non-Judicial cases.	Number of appeals before the court.	On contest.	Without contest.	Total.	Total.	Over one year.	Preferred.	Disposed of.	Pending.	Sessions cases.	Number of days devoted to civil work.	Number of days devoted to criminal work.
14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
71	58	...	128	97	7	104	24	20	...	18	1	...	209	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
147	102	...	243	224	10	234	9	5	...	42	1	...	232	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
218	160	...	371	321	17	338	33	25	...	60	2	...	441	...
138	93	...	96	68	3	71	25	2	...	...	...	...	239	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
129	102	...	75	70	3	73	2	2	...	1	...	25	155½	89½
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	1	1	...	1	...	...	...	...	...	...	235	...
189	125	...	246	168	13	181	62	...	53	68	6	21	208½	38½
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
456	320	...	418	307	19	326	89	4	53	69	6	46	838½	127½
139	136	...	46	36	3	39	5	3	...	...	...	...	244	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
43	40	...	72	60	1	61	...	...	...	...	...	...	204	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
182	176	...	118	96	4	100	5	3	...	...	...	...	448	...

TABLE

Statement showing the work done by

Judgeships.	Courts.	Powers.	Original Suits. For disposal. Pending from previous year.	Original Suits. For disposal. Instituted.	Original Suits. For disposal. Re-admitted and received by transfer.	Original Suits. For disposal. Total.	Original Suits. Disposed of. Without trial.	Original Suits. Disposed of. *Ex-parte.*	Original Suits. Disposed of. On contest.	Original Suits. Disposed of. Total.	Original Suits. Pending. Total.	Original Suits. Pending. Over one year.
1	2	3	4	5	6	7	8	9	10	11	12	13
Bhagalpur.	Subordinate Judge	O.	77	55	1	133	15	3	17	35	52	3
		S.C.C.	61	128	...	189	54	51	38	143	46	...
	Subordinate Judge, Additional Court.	O.	...	...	47	47	1	...	4	5	42	41
		S.C.C.	...	...	...	...	...	...	...	...	...	...
	Total ...	...	138	183	48	369	70	54	59	183	140	44
Monghyr.	Subordinate Judge, 1st Court.	O.	37	43	23	103	27	7	88	72	28	7
		S.C.C.	20	72	1	93	36	27	13	76	17	...
	Subordinate Judge, 2nd Court.	O.	38	23	10	71	9	1	19	29	24	5
		S.C.C.	14	44	2	60	25	9	9	43	16	...
	Total ...	...	109	182	36	327	97	44	79	220	85	12
Purnea	Subordinate Judge...	O.	65	74	8	147	23	20	17	60	85	24
		S.C.C.	28	59	...	87	30	23	13	66	21	...
	Subordinate Judge, Additional Court.	O.	6	...	2	8	...	...	2	2	...	...
	Total ...	...	99	133	10	242	53	43	32	128	106	24

D (New)—*contd.*

Subordinate Judges during the year 1940—contd.

Miscellaneous cases disposed of.			Regular appeals.						Miscellaneous appeals.					
				Disposed of.			Pending.							
Execution cases.	Miscellaneous Judicial cases.	Non-Judicial cases.	Number of appeals before the court.	On contest.	Without contest.	Total.	Total.	Over one year.	Preferred.	Disposed of.	Pending.	Sessions cases.	Number of days devoted to civil work.	Number of days devoted to criminal work.
14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
262	212	...	31	27	2	29	...	...	...	11	...	31	108	161
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	2	...	9	4	...	4	5	...	...	...	...	...	21	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
262	214	...	40	31	2	33	5	...	...	11	...	31	129	161
159	137	1	195	172	11	183	4	...	...	57	...	...	237	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
108	83	4	95	83	1	84	...	...	...	31	1	22	109	101
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
267	220	5	290	255	12	267	4	...	...	88	1	22	346	101
214	101	1	39	9	2	11	28	28	...	6	...		122	122
...	...	...	...	...	...	...	...	...	...	...	...	17	...	...
...	...	...	12	4	2	6	..	...	..	8	...		8	34
214	101	1	51	13	4	17	38	28	...	14	...	17	130	156

TABLE

Statement showing the work done by

Judgeships.	Courts.	Powers.	Original suits. For disposal. Pending from previous year.	Instituted.	Re-admitted and received by transfer.	Total.	Disposed of. Without trial.	*Ex-parte.*	On contest.	Total.	Pending. Total.	Over one year.
1	2	3	4	5	6	7	8	9	10	11	12	13
Chota Nagpur.	Special Subordinate Judge, Ranchi.	O.	40	50	2	92	12	3	34	49	43	6
	Additional Subordinate Judge, Hazaribagh.	O.	44	92	22	158	17	6	40	63	95	10
	Additional Subordinate Judge, Palamau.	O.	...	...	30	30	1	4	20	25	...	...
	Deputy Magistrate-Subordinate Judge, Palamau.	O.	34	23	5	62	3	...	...	3	29	12
	Deputy Commissioner-Subordinate Judge, Palamau.	O.	...	...	...	...	...	...	..	...	...	...
	Deputy Commissioner-Subordinate Judge, Hazaribagh.	O.	...	...	...	...	...	...	...	...	...	...
	Additional Subordinate Judge, Ranchi.	O.	...	...	...	...	...	...	...	...	...	...
	Total ...	...	118	165	59	342	33	13	94	140	167	28
Manbhum-Singhbhum.	Subordinate Judge, Purulia.	O.	50	78	11	139	28	6	27	61	78	3
		S.C.C.	17	73	...	90	50	16	12	78	12	...
	Subordinate Judge, Dhanbad.	O.	74	61	1	136	28	9	27	64	72	20
		S.C.C.	38	197	1	236	96	55	37	188	48	...
	Deputy Collector-Subordinate Judge, Chaibassa.	O.	10	9	...	19	2	1	...	3	8	...
	Special Subordinate Judge, Chaibassa.	O.	...	...	9	9	3	...	2	5	4	4
	Deputy Commissioner-Subordinate Judge, Chaibassa.	O.	...	...	...	..	...	...	...	...	...	...
	Total ...	...	189	418	22	629	207	87	105	399	222	27
	Grand Total ...	...	2,029	3,431	364	5,824	1,361	869	1,177	3,407	2,184	380*
	Grand Total for 1939	...	2,077	3,594	1,024	6,695	1,510	1,114	1,281	3,905	2,039	374

*Average duration of suits from the date of institution

*Average duration of appeals from the date of institution

.*The methods of calculation being different these figures do not agree with the figures of year-old

D (New)—*concld.*

Subordinate Judges during the year 1940—concld.

Miscellaneous cases disposed of.			Regular appeals.						Miscellaneous appeals.					
				Disposed of.			Pending.							
Execution cases.	Miscellaneous Judicial cases.	Non-Judicial cases.	Number of appeals before the court.	On contest.	Without contest.	Total.	Total.	Over one year.	Preferred.	Disposed of.	Pending.	Sessions cases.	Number of days devoted to civil work.	Number of days devoted to criminal work.
14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
78	91	...	116	93	3	96	20	1	...	20	...	...	252	...
80	72	8	50	35	9	44	6	1	...	...	...	...	244	...
...	5	...	3	1	...	1	...	...	...	...	...	...	...	...
47	33	...	...	...	...	...	...	...	...	...	...	...	38	...
...	7	..	1	1	...	1	...	...	...	...	...	...	1½	...
...	...	...	11	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	6	1	...	...	...
205	208	8	181	130	12	142	26	2	...	26	1	...	535½	...
198	110	1	80	58	7	65	13	5	...	8	...	...	203	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
245	133	6	20	19	...	19	1	1	...	...	...	...	244	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
13	12	...	96	...	...	...	42	1	17	4	11	...	19	...
...	4	...	54	41	1	42	12	...	...	20	...	...	40	...
1	66	...	...	...	...	...	...	...	...	...	...	...	38	...
456	325	7	250	118	8	126	68	7	17	32	11	...	539	...
3,226	2,573	29	3,365	2,458	172	2,630	531	101*	70	550	70	167	5,378½	815½
3,680	2,723	16	3,269	2,543	201	2,744	294	63	67	415	54	196	5,548½	863½

Average number of days.

... 424·3

} under the ordinary procedure { Contested ... 276·3
Uncontested ... 166·1

} under the small cause court procedure { Contested ... 93·0
Uncontested ... 233·9

Contested ...

TABLE

Statement showing the work done by

Judgeships.	Courts.	Powers.	Suits. For disposal. Pending from previous year.	Instituted.	Received by transfer and re-admitted.	Total.	*Ex-parte.*
1	2	3	4	5	6	7	8
Patna.	Patna, 1st Court	O.	1,628	2,888	33	4,549	1,544
		S. C. C.	139	413	7	559	247
	Do. 2nd "	O.	1,639	3,788	79	5,506	2,429
		S. C. C.	165	576	8	749	297
	Do. 3rd "	O.	1,977	3,194	224	5,395	3,029
	Do. 1st Additional Court ...	O.	51	...	515	566	30
	Do. 2nd " " ...	O.	...	...	25	25	1
	Barh Court	O.	768	4,160	27	4,955	3,001
		S. C. C.	28	128	4	160	74
	Bihar Court...	O.	2,786	5,076	71	7,933	2,368
		S. C. C.	49	151	1	201	89
	Do. 1st Additional Court .	O.	52	...	968	1,020	98
	Do. 2nd " " ...	O.	...	...	440	440	16
	Total ...	O.	8,901	19,106	2,382	30,389	12,516
		S. C. C.	381	1,268	20	1,669	707
Gaya.	Gaya, 1st Court	O.	1,679	1,868	44	3,591	1,327
	Do. 2nd "	O.	994	1,696	21	2,711	1,140
		S. C. C.	80	361	6	447	187
	Do. 3rd "	O.	1,233	2,410	59	3,702	1,436
	Do. Additional Court ...	O.	42	...	586	628	54
	Aurangabad Court	O.	3,159	3,403	80	6,642	3,106
		S. C. C.	102	265	...	367	121
	Do. Additional Court ...	O.	147	...	617	764	46
	Jahanabad Court	O.	2,588	4,138	18	6,744	2,844
		S. C. C.	55	191	1	247	69
	Jahanabad Additional Court ...	O.	32	...	621	653	26
	Total ...	O.	9,874	13,515	4,046	25,435	9,279
		S. C. C.	237	817	7	1,061	377

E (new).

Munsifs during the year 1940.

Suits.											Miscellaneous work disposed of.		
Disposed of.									Pending.				
Without trial.	With contest.				Total decided.								
	Money.	Rent.	Title.	Total.	Money.	Rent.	Title.	Total.	Total.	Over one year.	Execution cases.	Miscellaneous Judicial cases.	Non-Judicial cases.
9	10	11	12	13	14	15	16	17	18	19	20	21	22
609	18	213.	56	287	297	1,961	182	2,440	1,702	217	1,629	516	24
143	59	...	...	59	449	...	...	449	110	2	186	43	...
702	17	332	32	381	112	3,266	134	3,512	1,745	179	1,451	368	17
176	49	...	...	49	522	...	...	522	226	1	108	19	...
645	22	552	32	606	109	4,080	91	4,280	1,021	59	1,677	420	10
79	23	329	78	430	39	401	99	539	23	23	118	56	...
4	1	...	11	12	2	...	15	17	...	...	...	...	...
348	50	368	42	460	155	3,540	114	3,809	1,143	65	1,823	493	14
38	32	...	...	32	144	...	...	144	17	...	81	10	...
881	25	366	29	420	234	3,309	126	3,669	2,884	129	2,407	787	102
70	15	...	...	15	174	...	...	174	31	...	10	6	...
223	8	453	8	469	18	750	22	790	189	107	269	227	4
40	6	279	5	290	6	331	9	346	90	90	...	1	...
3,531	170	2,892	293	3,355	972	17,638	792	19,402	8,797	869	9,374	2,868	171
427	155	...	...	155	1,289	...	...	1,289	384	3	385	78	...
444	18	455	58	531	119	2,010	173	2,302	1,046	99	1,645	613	142
355	23	212	62	297	63	1,542	188	1,792	740	45	1,502	353	55
125	49	...	...	49	361	...	...	361	87	1	...	...	...
424	2	508	36	546	8	2,304	54	2,406	1,125	77	1,163	546	146
117	20	367	31	418	34	491	64	589	33	30	91	68	...
719	82	486	96	664	205	4,061	223	4,489	1,540	57	2,073	884	13
126	68	...	...	68	325	...	...	325	42	1	...	...	...
60	16	516	58	590	20	606	70	696	...	...	43	28	...
672	14	267	42	323	84	3,818	137	4,039	2,084	186	2,436	634	16
67	37	...	...	37	173	...	...	173	74	...	...	...	...
66	24	454	58	536	43	512	74	628	19	19	75	34	...
3,057	199	3,265	441	3,905	574	15,344	1,023	16,941	6,587	513	9,028	3,160	373
328	154	...	...	154	859	...	...	859	203	2	...	...	...

TABLE

Statement showing the work done by

Judgeships.	Courts.	Powers.	Suits. — For disposal. — Pending from previous year.	Instituted.	Received by transfer and re-admitted.	Total.	*Ex-parte.*
1	2	3	4	5	6	7	8
Shahabad.	Arrah, 1st Court ...	O. ...	445	1,760	30	2,235	1,174
		S. C. C. ...	77	383	2	462	186
	Arrah, 2nd Court ...	O. ...	660	2,182	66	2,908	1,700
		S. C. C. ...	...	...	...	...	...
	Arrah, 3rd Court ...	O. ...	1,176	2,494	17	3,687	2,287
		S. C. C. ...	175	637	1	813	367
	Buxar, 1st Court ...	O. ...	1,226	2,073	38	3,337	1,768
		S. C. C. ...	...	...	...	...	...
	Buxar, 2nd Court ...	O. ...	595	1,202	30	1,827	745
		S. C. C. ...	79	418	4	501	163
	Sasaram, 1st Court ...	O ...	2,425	3,460	13	5,898	2,271
		S. C. C. ...	275	805	...	1,080	316
	Sasaram, 2nd Court ...	O. ...	1,355	3,446	139	4,940	1,873
		S. C. C. ...	...	...	...	...	...
	Sasaram, Additional Court ...	O. ...	128	...	263	391	19
	Total ...	O. ...	8,010	16,617	596	25,223	11,837
		S. C. C. ...	606	2,243	7	2,856	1,032

E (new)—*contd.*

Munsifs during the year 1940—contd.

Suits.											Miscellaneous work disposed of,		
Disposed of.									Pending.				
	With contest.				Total decided.								
Without trial.	Money.	Rent.	Title.	Total.	Money.	Rent.	Title.	Total.	Total.	Over one year.	Execution cases.	Miscellaneous Judicial cases.	Non-judicial cases.
9	10	11	12	13	14	15	16	17	18	19	20	21	22
488	7	123	71	201	32	1,693	138	1,863	372	23	1,413	302	7
151	59	...	...	59	396	...	...	396	66	...	...	...	...
422	15	234	80	329	68	2,219	164	2,451	452	27	1,288	246	4
...	...	...	...	...	...	...	...	...	...	...	...	...	...
503	26	215	72	313	82	2,627	394	3,103	526	36	2,265	473	31
226	111	...	...	111	704	...	...	704	110	...	...	...	...
498	63	312	117	492	159	2,339	260	2,758	560	14	1,853	422	53
...	...	...	...	...	...	...	...	...	...	...	...	...	...
302	30	215	87	332	74	1,123	182	1,379	439	21	1,217	571	16
178	79	...	...	79	420	...	...	420	81	...	...	...	...
899	31	419	55	505	160	3,292	203	3,675	1,857	137	2,316	346	96
340	122	...	...	122	778	...	...	778	303	...	...	...	...
1,017	28	364	112	504	101	3,040	253	3,394	1,529	47	1,645	400	10
...	...	...	...	...	...	...	...	...	...	...	...	...	...
60	40	129	99	268	61	144	142	347	39	39	36	7	...
4,189	240	2,011	693	2,944	757	16,477	1,736	8,970	5,774	314	12,033	2,767	316
895	371	...	...	371	2,298	...	...	2,298	559	...	...	...	...

TABLE

Statement showing the work done by

Judgeships.	Courts.	Powers.	Suits. For disposal. Pending from previous year.	Instituted.	Received by transfer and re-admitted.	Total.	*Ex-parte.*
1	2	3	4	5	6	7	8
Saran.	Chapra, 1st Court	O.	1,348	3,875	63	5,286	2,539
	Chapra, 2nd Court	O.	1,256	4,632	30	5,918	2,588
		S. C. C.	132	448	34	614	184
	Chapra, 3rd Court	O.	1,436	4,259	379	6,074	2,[illegible]94
	Chapra, 4th Court	O.	1,786	4,034	5	5,825	2,250
		S. C. C.	402	880	2	1,284	402
	Chapra, Additional Court ...	O.		...	2,043	2,043	1,216
	Siwan Court...	O.	3,612	7,714	32	11,358	2,188
		S. C. C.	138	622	6	766	262
	Siwan, 1st Additional Court ...	O.	611	...	4,281	4,892	2,912
	Siwan, 2nd Additional Court ..	O.	...	...	2,348	2,348	1,378
	Gopalganj Court	O.	4,023	3,833	7	7,863	3,547
		S. C. C.	153	454	1	608	164
	Gopalganj, 1st Additional Court...	O.	1,226	...	1,756	2,982	2,008
	Gopalganj, 2nd Additional Court	O.	...	...	356	356	16
	Total ...	O.	15,298	28,347	11,320	54,965	23,469
		S. C. C.	825	2,404	43	3,272	1,012
Muzaffarpur.	Muzaffarpur, 1st Court ...	O.	1,315	4,376	198	5,889	3,071
		S. C. C.	58	273	1	332	187
	Muzaffarpur, 2nd Court ...	O.	2,449	6,661	17	9,327	4,850
		S. C. C.	187	695	1	883	412
	Hajipur Court	O.	1,095	4,607	19	5,721	3,340
		S. C. C.	87	317	...	404	173
	Hajipur, Additional Court ...	O.	13	...	118	131	8
	Sitamarhi, 1st Court ...	O.	2,192	4,123	12	6,327	3,382
		S. C. C.	159	474	2	635	267
	Sitamarhi, 2nd Court ...	O.	2,420	4,877	65	7,362	4,372
	Motihari Court	O.	790	3,798	48	4,636	1,979
		S. C. C.	239	754	9	1,002	339
	Motihari, Additional Court ...	O.	216	...	210	426	194
	Bettiah Court ...	O.	1,288	3,078	12	4,378	2,470
		S. C. C.	38	367	1	406	163
	Total	O.	11,778	31,520	699	43,997	23,666
		S. C. C.	768	2,880	14	3,662	1,541

E (new)—*contd.*

Munsifs during the year 1940—contd.

Suits.											Miscellaneous work disposed of.		
Disposed of.									Pending.				
	With contest.				Total decided.								
Without trial.	Money.	Rent.	Title.	Total.	Money.	Rent.	Title.	Total.	Total.	Over one year.	Execution cases.	Miscellaneous Judicial cases.	Non-Judicial cases.
9	10	11	12	13	14	15	16	17	18	19	20	21	22
747	30	157	83	270	77	3,267	212	3,556	1,561	39	1,831	263	7
922	33	132	81	246	119	3,384	153	3,756	1,657	57	2,206	400	8
238	37	...	...	37	459	...	...	459	156	...		...	...
1,135	16	346	80	443	64	3,990	217	4,271	1,336	28	1,625	289	14
879	16	23	60	99	68	2,980	180	3,228	1,344	94	1,840	293	8
430	71	...	...	71	903	...	...	903	332	...	...	...	...
319	2	29	10	41	2	1,563	11	1,576	467	...	1	29	...
1,162	10	17	86	113	83	3,083	297	3,463	1,298	182	2,919	640	21
211	67	...	...	67	540	...	...	540	226	1	...		...
706	26	309	79	414	36	3,965	91	4,032	857	19	686	140	...
[illegible]34	9	4	22	35	10	1,713	24	1,747	601	10	...	17	...
770	64	61	50	175	301	3,951	240	4,492	1,349	273	1,375	365	6
232	79	...	...	79	475	..	...	475	133	1	...	...	...
295	46	71	84	201	57	2,339	108	2,504	476	9	184	112	...
40	25	38	26	89	26	241	31	298	...	...	...	29	...
7,309	277	1,187	661	2,126	843	30,416	1,664	32,923	10,946	711	12,667	2,577	64
1,111	254	...		254	3,377	..	...	3,377	847	2	...	...	...
873	24	207	105	336	107	3,876	297	4,280	1,609	32	2,321	535	22
88	17	...	...	17	292	...	...	292	38	...	...	...	...
1,096	14	156	80	250	62	5,893	241	6,196	2,740	53	2,942	701	60
248	62	...	...	62	723	...	...	722	162	...	...	...	...
761	15	272	68	355	107	4,116	233	4,456	1,164	78	3,177	492	30
106	23	...	...	23	302	...	...	302	83	...	...	...	...
23	9	29	31	69	12	38	50	100	24	22	...	1	...
675	24	192	30	246	148	3,987	168	4,303	1,975	37	3,098	567	15
308	32	...	...	32	507	...	...	507	128	...	...	...	...
787	22	143	39	204	107	5,099	157	5,363	1,998	39	2,979	656	9
618	28	81	123	230	120	2,313	394	2,827	1,605	48	2,410	534	102
369	96	...	...	96	804	...	...	804	196	...	...	...	...
69	21	52	69	142	30	272	103	405	...	...		85	...
712	75	129	84	288	459	2,749	262	3,470	909	6	1,322	305	25
173	23	...	...	23	359	...	...	359	46	...	...	...	...
5,614	230	1,261	629	2,120	1,152	28,343	1,905	31,400	12,024	315	17,255	3,876	283
1,192	253	...	...	253	2,986	...	...	2,986	653	...	...	...	...

TABLE

Statement showing the work done by

Judgeships.	Courts.	Powers.	Suits. For disposal. Pending from previous year.	Instituted.	Received by transfer and re-admitted.	Total.	*Ex-parte.*
1	2	3	4	5	6	7	8
Darbhanga.	Darbhanga, 1st Court ...	O.	1,662	4,273	32	5,967	3,090
	Darbhanga, 2nd Court ...	O.	1,682	3,724	23	5,429	3,802
		S. C. C.	202	591	2	795	363
	Darbhanga, Additional Court ...	O.	...	...	313	313	84
		S. C. C.	...	...	20	20	6
	Madhubani, 1st Court ...	O.	1,742	6,066	35	7,843	5,508
	Madhubani, 2nd Court ...	O.	4,991	9,220	35	14,246	8,994
		S. C. C.	129	482	1	612	246
	Samastipur, 1st Court ...	O.	940	4,331	7	5,278	3,821
		S. C. C.	150	558	2	710	342
	Samastipur, 2nd Court ...	O.	1,106	4,692	27	5,825	3,098
	Samstipur, Additional Court ...	O.	...	...	107	107	11
	Total ...	O.	12,123	32,306	579	45,008	28,408
		S. C. C.	481	1,631	25	2,137	957
Bhagalpur.	Bhagalpur, 1st Court ...	O.	820	2,503	12	3,335	1,507
		S. C. C.	128	288	1	417	170
	Bhagalpur, 2nd Court ...	O.	932	2,331	21	3,284	1,050
		S. C. C.	253	1,083	3	1,339	843
	Bhagalpur, Additional Court ...	O.	...	...	15	15	...
		S. C. C.	...	...	1	1	...
	Madhipura Court	O.	3,672	10,950	8	14,630	9,184
		S. C. C.	150	390	...	540	240
	Banka Court	O.	1,023	3,256	6	4,285	2,969
		S. C. C.	31	267	5	303	147
	Subdivisional Officer Munsif, Banka. ...	O.	16	67	2	85	62
		S. C. C.	...	1	...	1	1
	Total ...	O.	6,463	19,107	64	25,634	14,772
		S. C. C.	562	2,029	10	2,601	1,401

E (new)—*contd.*

Munsifs during the year 1940—contd.

Suits.											Miscellaneous work disposed of.		
Disposed of.									Pending.				
	With contest.				Total decided.								
Without trial.	Money.	Rent.	Title.	Total.	Money.	Rent.	Title.	Total.	Total.	Over one year.	Execution cases.	Miscellaneous Judicial cases.	Non-Judicial cases.
9	10	11	12	13	14	15	16	17	18	19	20	21	22
514	7	118	50	175	45	3,552	182	3,779	2,056	29	1,916	352	...
396	10	61	39	110	49	4,095	164	4,308	939	20	2,590	440	...
193	67	...	...	67	623	...	...	623	152	...	...	...	...
56	27	30	73	130	42	125	103	270	29	11	2	8	...
6	4	...	...	4	16	...	...	16	4	...	...	...	...
574	20	95	43	158	127	5,863	250	6,240	1,589	75	3,420	760	1
435	8	142	37	187	106	9,354	156	9,616	4,596	140	3,950	829	...
161	25	...	...	25	432	...	...	432	180	...	...	...	...
313	15	95	39	149	77	4,044	163	4,283	986	25	2,892	564	3
205	38	...	...	38	585	...	...	585	125	...	...	...	...
626	16	205	56	277	140	3,671	190	4,001	1,723	32	2,080	508	8
30	5	43	13	61	12	72	18	103	...	...	...	1	...
2,944	106	789	350	1,247	598	30,776	1.225	32,599	11,918	332	16,850	3,462	12
565	134	...	...	134	1,656	...	...	1,656	461	...	...	...	...
238	20	232	40	292	86	1,872	79	2,037	1,287	20	1,792	586	6
105	66	...	...	66	341	...	...	341	75	...	...	...	...
261	22	308	46	376	60	1,503	125	1,687	1,587	3	2,009	654	15
301	85	...	...	85	1,229	...	...	1,229	110	...	...	...	...
...	...	3	6	9	...	3	6	9	...	...	...	...	...
...	1	...	...	1	1	...	...	1	...	...	...	...	...
866	22	259	49	330	161	10,017	202	10,380	4,250	40	6,078	772	91
144	43	...	...	43	427	...	...	427	113	...	...	...	...
440	25	263	41	329	174	3,456	108	3,738	547	3	2,639	999	51
116	10	...	...	10	273	...	...	273	30	...	...	...	...
...	1	...	...	1	1	62	...	63	22	2	61	...	...
...	...	...	...	...	1	...	...	1	...	...	...	...	...
1,805	90	1,065	182	1,337	483	16,912	520	17,914	7,693	68	12,579	3,011	163
666	205	...	...	205	2,272	...	...	2,272	328	...	...	...	...

TABLE

Statement showing the work done by

Judgeships.	Courts.	Powers.	Suits. — For disposal. — Pending from previous year.	Instituted.	Received by transfer and re-admitted.	Total.	Ex-parte.
1	2	3	4	5	6	7	8
Monghyr.	Monghyr, 1st Court	O.	1,025	4,719	55	5,799	3,990
		S. C. C.	103	477	1	581	236
	Monghyr, 2nd Court	O.	746	2,306	70	3,122	1,883
		S. C. C.	111	406	1	518	190
	Mo ghyr, Additional Court	O.	...	...	249	249	6
	Begusarai, 1st Court...	O.	538	2,374	6	2,918	1,806
		S. C. C.	130	656	..	786	417
	Begusarai, 2nd Court ...	O.	668	2,707	52	3,427	2,114
	Jamui Court	O.	1,867	4,517	35	6,419	3,626
		S. C. C.	66	327	...	393	181
	Jamui, Additional Court	O.	...	...	255	255	8
	S. D. O. Munsif, Monghyr	O.	14	9	...	23	15
		S. C. C.	...	...	...	...	...
	S. D.O. Munsif, Jamui	O.	59	43	...	102	56
		S. C. C.	...	..	...	...	...
	Total	O.	4,917	16,675	722	22,314	13,514
		S. C. C.	410	1,866	2	2,278	1,024
Purnea.	Purnea Court ...	O.	999	4,475	25	5,499	3,964
		S. C. C.	93	494	3	590	267
	Araria Court ...	O.	355	4,020	11	4,386	3,099
		S. C. C.	38	221	2	261	125
	Katihar Court	O.	481	5,118	3	5,602	3,970
		S. C. C.	83	339	...	422	174
	Kishanganj, 1st Court	O.	220	2,378	67	2,665	1,684
		S. C. C.	59	266	...	325	198
	Kishanganj, 2nd Court	O.	321	2,770	30	3,121	1,957
	Total	O.	2,376	18,761	136	21,273	14,674
		S. C. C.	273	1,320	5	1,598	764

E (new)—*contd.*

Munsifs during the year 1910—contd.

Suits.											Miscellaneous work disposed of.		
Disposed of.									Pending.				
Without trial.	With contest.				Total decided.								
	Money.	Rent.	Title.	Total.	Money.	Rent.	Title.	Total.	Total.	Over one year.	Execution cases.	Miscellaneous Judicial cases.	Non-Judicial cases.
9	10	11	12	13	14	15	16	17	18	19	20	21	22
403	17	204	51	272	156	4,346	163	4,665	897	65	2,232	644	122
180	67	...	...	67	483	...	...	483	98	...	...	...	...
444	45	72	73	190	261	2,058	198	2,517	528	22	1,838	534	16
198	47	...	...	47	435	...	...	435	83	...	...	..	...
12	4	11	35	50	9	23	46	78	137	8	...	2	...
364	39	180	61	280	126	2,193	131	2,450	458	19	1,653	416	4
208	65	...	...	65	690	...	...	690	96	...	...	...	...
441	33	263	69	365	111	2,663	146	2,920	504	17	1,608	425	7
554	16	764	29	809	81	4,784	124	4.989	1,174	44	2,013	920	15
104	36	...	...	36	321	...	...	321	72	...	...	...	...
2	15	12	51	78	20	23	63	106	149	10	...	4	...
7	...	...	...	...	...	22	...	22	1	...	8	...	..
...	...	...	...	...	...	...	...	...	...	...	...	...	...
1	...	...	...	...	...	56	1	57	45	3	3	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...
2,246	169	1,506	369	2,044	764	16,168	872	17,804	3,893	188	9,355	2,945	164
690	215	...	...	215	1,929	...	...	1,929	349	...	...	...	...
370	19	99	33	151	158	4,177	150	4,485	1,014	36	2,847	768	40
169	38	...	...	38	474	...	...	474	116	...	...	...	...
488	31	158	66	255	240	3,411	191	3,842	544	8	3,097	748	36
93	12	...	...	12	230	...	...	230	31	...	...	...	...
661	30	128	37	195	461	4,202	163	4,826	777	25	2,120	346	29
160	14	...	...	14	348	...	...	348	73	...	...	...	...
521	11	166	25	202	133	2,170	104	2,407	253	18	1,741	263	77
71	21	...	...	21	290	...	...	290	35	...	...	...	...
686	20	116	16	152	134	2,590	71	2,795	271	23	1,194	255	165
2,726	111	667	177	955	1,126	16,550	679	18,355	2,859	110	11,799	2,380	347
493	85	...	...	85	1,342	...	...	1,342	255	...	...	...	...

TABLE

Statement showing the work done by

Judgeships.	Courts.	Powers.	Suits. For disposal. Pending from previous year.	Instituted.	Received by transfer and re-admitted.	Total.	*Ex-parte.*
1	2	3	4	5	6	7	8
Chota Nagpur.	Ranchi Court	O.	329	531	9	869	138
		S. C. C.	63	318	...	381	175
	Hazaribagh Court	O.	269	498	6	773	108
		S. C. C.	26	208	...	234	77
	Hazaribagh, Additional Court ...	O.	...	...	35	35	3
	Giridih Court	O.	225	448	9	682	108
		S. C. C.	57	243	3	303	93
	Palamau Court	O.	123	378	7	508	86
		S. C. C.	45	265	2	312	90
	S. D. O. Munsif, Khunti ...	O.	39	164	2	205	47
	S. D. O. Munsif, Gumla ...	O.	57	191	1	249	54
	S. D. O. Munsif, Simdega ...	O.	17	64	...	81	10
	S. D. O. Munsif, Chatra ...	O.	125	218	3	346	84
	S. D. O. Munsif, Latehar ...	O.	9	30	1	40	5
	Total ...	O.	1,193	2,522	73	3,788	643
		S. C. C.	191	1,034	5	1,230	435

E (new)—*contd.*

Munsifs during the year 1940—contd.

Suits.											Miscellaneous work disposed of.		
Disposed of.									Pending.				
	With contest.				Total decided.								
Without trial.	Money.	Rent.	Title.	Total.	Money.	Rent.	Title.	Total.	Total.	Over one year.	Execution cases.	Miscellaneous Judicial cases.	Non-Judicial cases.
9	10	11	12	13	14	15	16	17	18	19	20	21	22
253	45	...	90	135	310	...	216	526	343	6	879	400	...
120	50	...	...	50	345	...	...	345	36	...	...	...	..
223	50	...	52	102	255	...	178	433	294	...	692	204	...
89	24	...	...	24	190	...	...	190	39	...	...	...	...
4	5	...	4	9	8	...	8	16	19	6	...	1	...
154	55	...	75	130	260	...	132	392	288	9	522	140	1
123	45	...	...	45	261	...	...	261	43	...	...	...	...
180	55	...	63	118	232	...	152	384	126	1	554	203	...
145	33	...	...	33	268	...	...	268	42	...	...	...	...
63	25	...	16	41	111	...	40	151	54	...	82	23	2
63	19	...	14	33	98	...	52	150	99	4	116	13	...
23	16	...	10	26	46	...	13	59	22	...	57	12	...
96	12	...	5	17	144	...	53	197	147	25	165	64	1
14	9	...	2	11	22	...	8	30	10	...	47	21	...
1,073	291	...	331	622	1,486	...	852	2,338	1,402	51	3,114	1,081	4
477	152	...	...	152	1,064	...	...	1,064	160	..	...	...	

TABLE

Statement showing the work done by

Judgeships.	Courts.	Powers.	Suits. For disposal. Pending from previous year.	Instituted.	Received by transfer and re-admitted.	Total.	Ex-parte.
1	2	3	4	5	6	7	8
Manbhum-Singhbhum.	Purulia Court ...	O.	459	605	10	1,074	90
		S. C. C.	143	835	4	972	265
	Purulia, Additional Court ...	O.	...	...	229	229	10
	Dhanbad Court	O.	311	504	2	817	110
		S. C. C.	187	970	1	1,158	378
	Raghunathpur Court	O.	142	547	...	689	111
		S. C. C.	59	418	...	477	153
	Chaibassa Court	O.	63	67	7	137	24
		S. C. C.	29	83	...	112	32
	Jamshedpur Court	O.	363	767	10	1,139	220
		S. C. C.	274	858	...	1,132	401
	Total ...	O.	1,337	2,490	258	4,085	565
		S. C. C.	692	3,154	5	3,851	1,228
	Grand total ...	O.	82,270	200,966	18,875	302,111	154,063
		S. C. C.	5,426	20,646	143	26,215	10,478
	Grand total for 1939 ...	O.	91,610	198,385	14,156	304,151	157,865
		S. C. C.	5,920	22,271	609	28,800	11,506

* Average duration of suits from the date of

* The methods of calculation being different these figures do not agree with the

E (new)—*concld.*

Munsifs during the year 1940—concld.

Suits.											Miscellaneous work disposed of.		
Disposed of.									Pending.				
Without trial.	With contest.				Total decided.								
	Money.	Rent.	Title.	Total.	Money.	Rent.	Title.	Total.	Total.	Over one year.	Execution cases.	Miscellaneous Judicial cases.	Non-Judicial cases.
9	10	11	12	13	14	15	16	17	18	19	20	21	22
173	14	...	83	97	110	...	250	360	484	56	902	202	...
433	103	...	...	103	801	...	...	801	173	1	...	...	...
67	21	...	104	125	32	...	170	202	23	10	17	3	...
201	41	...	82	123	191	...	243	434	382	30	845	242	10
503	75	...	...	75	956	...	...	956	201	...	...	...	...
336	44	...	25	69	398	...	118	516	173	2	703	264	...
233	36	...	...	36	421	...	...	421	56	...	...	...	...
32	14	...	11	25	48	...	33	81	56	8	106	23	...
53	7	...	...	7	92	...	...	92	20	...	...	...	...
297	37	...	59	96	315	...	298	613	526	66	3,097	298	...
419	77	...	...	77	897	...	...	897	235	...	...	...	...
1,106	171	...	364	535	1,094	...	1,112	2,206	1,644	181	5,670	1,032	10
1,641	298	...	...	298	3,167	...	...	3,167	685	1	...	...	...
35,600	2,056	14,643	4,490	21,189	9,848	188,624	12,380	210,852	73,537	3,682	119,724	29,159	1,786
8,485	2,276	...	...	2,276	21,239	...	...	21,239	4,884	8*	385	78	...
34,701	1,770	10,639	3,654	16,063	9,494	188,476	10,659	208,629	82,270	3,906	112,320	24,801	1,921
9,125	2,097	...	...	2,097	22,728	...	...	22,728	5,426	4	323	47	...

			Average number of days.
institution ...	Under the ordinary procedure.	Contested ...	289·4
		Uncontested ...	102·6
	Under the small cause court procedure.	Contested ...	142·7
		Uncontested ...	80·6

figures of year-old suits and of average duration given in the Imperial Table no. 29,

TABLE

Proceedings in Insolvency under the Provincial Insolvency Act, 1920

Part I—Showing the number and results of insolvency petitions presented

Class of Courts.	Insolvency Petitions.												
	Number dealt with.						Number disposed of.						
	Pending at close of previous year.	Presented during year.			Received by transfer.	Total.	Transferred.	Withdrawn under section 14.	By composition or scheme of arrangement under section 38.	By orders of adjudication under section 27.		Dismissed under section 25.	Total.
		By debtors.		By creditors.									
		Under arrest or imprisonment.	Not under arrest or imprisonment.							Receivers being appointed.	Receivers not being appointed.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Courts subordinate to District Courts and specially empowered under section 3.	35	5	59	3	...	102	...	1	...	8	33	41	83
District Courts...	177	18	189	12	10	406	10	3	...	65	71	115	264
Total ...	212	23	248	15	10	508	10	4	...	73	104	156	347

* Proceedings were annulled

Part II—Showing the number of estates in the hands of Receivers

Class of Courts.	Number of Insolvent's Estates in the hands of Receivers.			Amount of Creditor's claims	
	Pending at the close of the previous year.	Placed in charge of a Receiver during the year.	Pending at the close of the year.	Unsatisfied and pending at the close of previous year.	Proved.
1	2	3	4	5	6
				Rs. a. p.	Rs. a. p.
Courts subordinate to District Courts and specially empowered under section 3.	29	8	29	21,473 0 0	1,766 0 0
District Courts	268	77	270	27,32,848 14 0	1,31,611 15 7½
Total	297	85	299	27,54,321 14 0	1,33,377 15 7½

(A) Difference of Rs. 1,17,801-7-5½ is due to the fact that this amount has not been included in

(B) Difference of Rs. 843-5-10 is due to the fact that this amount has not been included in column 12

F (new).

(V of 1920), in the province of Bihar during the year 1940. under section 7 of the Act, and the number of insolvents before the courts.

		Debtors adjudged to be insolvent.									
		Number before the court.				Disposed of.					
								Discharged.			
Debtors sentenced under section 69.	Undischarged insolvents sent for trial under section 73 (2).	Remaining undischarged at close of previous year.	Undischarged received by transfer.	Adjudged to be insolvent during year.	Total.	Transferred.	Died.	Absolutely under section 41 (2) (a).	Conditionally under section 41 (2) (c).	Total.	Remaining undischarged at close of year [including insolvents who have been refused discharge or whose discharge remains suspended under section 41 (2) (b)].
15	16	17	18	19	20	21	22	23	24	25	26
...	1	165	...	41	206	...	...	42	...	42	159
2	...	1,019	7	142	1,168	7	7	115	1	130	953
2	1	1,184	7	183	1,374	7	7	157	1	172	*1,112

in 90 cases.

and the progress made in winding them up.

dealt with during the year.		Amount of Insolvent's assets realized and outstanding.				
Satisfied.	Unsatisfied and pending at the close of the year.	Amount of realized assets in the hands of Receivers at the close of the previous year.	Gross amount realized during the year.	Total amount of disbursements.	Amount remaining in the hands of Receivers at the close of the year.	Remarks.
7	8	9	10	11	12	13
Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
1,126 0 0	22,113 0 0	6,399 9 6	2,954 11 3	625 0 0	8,729 4 9	
29,641 2 3	27,17,018 3 11	83,644 11 2	32,450 11 6	30,158 5 9	85,093 11 1	
30,767 2 3	(A) 27,39,131 3 11	90,044 4 8	35,405 6 9	30,783 5 9	(B) 93,822 15 10	

column 8 as this relates to cases of persons who were discharged or whose adjudications were annulled.

as this relates to cases of persons who were discharged or whose adjudications were annulled.

TABLE G (new).

Civil business disposed of in the High Court during the year 1940.

Nature of business.	Pending at the beginning of the year.	Instituted during the year.	Revived and received by transfer during the year.	Decided.		Pending at the end of the year.	Average duration.	
				Without contest.	With contest.		Contested.	Uncontested.
1	2	3	4	5	6	7	8	9
I.								
Original cases	...	...	...	...	...	...	...	..
II.								
Appeals from a decision of a single Judge of the High Court in exercise of original jurisdiction including insolvency.	2	5	...	2	1	4	112	115
Appeals from a decision of a single Judge of the High Court in exercise of appellate jurisdiction.	16	40	...	3	15	38	394·1	208
Appeals from a decision of a Bench in exercise of appellate jurisdiction where there has been a difference of opinion.	...	...	...	...	...	...	...	...
Appeals from original decrees of subordinate courts.	466	220	2	54	139	495	1,005·6	469·6
Appeals from original orders of subordinate courts.	209	240	...	119	155	175	319·9	175·1
Appeals from appellate decrees of subordinate courts.	765	1,042	1	317	616	875	427·2	88·8
Appeals from appellate orders of subordinate courts.	52	123	...	42	71	62	188·9	34·0
III.								
Civil Review	11	35	...	29	7	10	130	79·1
Reference under section 27—								
Workmen's Compensation Act, 1923	1	...	...	...	1	...	139	...
Other civil references	1	4	...	...	1	4	419	...
Revisions under section 25—								
Provincial Small Cause Courts Act	58	182	...	101	84	55	174·2	29
Other civil revisions	149	579	...	336	239	153	180·4	35·2
Miscellaneous Judicial cases ...	45	116	...	60	36	65	239·9	81·0
Applications for leave to appeal to His Majesty in Council.	30	40	...	4	26	40	204·5	174·2
Total ...	1,805	2,626	3	1,067	1,391	1,976	...	...
Applications for appeal to the Federal court.	1	...	...		1	...	344	...

TABLE H.

Results of appeals in the High Court during the year 1940

Nature of appeals.		Affirmed.	Reversed.	Varied.	Remanded.	Otherwise disposed of.			Appeal summarily rejected under Order XLI, Rule 11, C. P. C.	Total.
						Dismissed for default.	Withdrawn.	Compromised.		
1		2	3	4	5	6	7	8	9	10
Appeals from Original Decrees of—	District Judges ...	4	3	...	...	4	...	1	...	2
	Subordinate Judges ...	66	30	32	4	19	6	24	...	181
	Munsifs	...	...	...	...	...	...	...	...	...
	Deputy Collector with powers of Collector.	...	...	...	...	...	...	...	...	...
	Extra Assistant Commissioner.	...	...	...	...	...	...	...	...	...
Appeals from Appellate Decrees of—	District Judges ...	146	50	20	23	1	9	10	57	316
	Subordinate Judges ...	226	70	31	50	9	7	15	209	617
Appeals from Orders of—	District Judges ...	40	24	5	14	3	4	2	27	119
	Subordinate Judges ...	74	35	15	22	26	24	13	57	266
	Munsifs	...	...	...	...	...	...	...	...	...
	Commissioner, Workmen's Compensation Act.	2	...	...	...	...	...	...	...	2
	From decision of a single Judge in exercise of original jurisdiction.	...	...	...	...	...	...	...	...	...
Total ...		558	212	103	113	62	50	65	350	1,513

BGP(HC)10—450—18-10-1941—KD and other